

Thomas Eglinton Whitehead.  
 Alexander George.  
 Charles Kenon Gailey, jr.  
 Mortimer Frederick Wakefield.  
 Francis William Farrell.  
 Wilmer Brinton Merritt.  
 Harry Clark Wiselhart.  
 Harold Julius Chapman.  
 John Irvin Gregg, jr.  
 John Russell, jr.  
 Charles Merton Adams, jr.  
 Frank Hoben Blodgett.  
 John Ferral McBlain.  
 Richard Meade Costigan.  
 Gustave Harold Vogel.  
 Basil Girard Thayer.  
 Edward Joseph Sullivan.  
 James Perrine Barney, jr.  
 Wilbur Sturtevant Nye.  
 Charles Harlan Swartz.  
 Leland Stuart Smith.  
 Wayne Latta Barker.  
 Francis Selwyn Gay.  
 Carl Frederick Duffner.  
 Wilburn Vastine Lunn.  
 Millard Pierson.  
 Francis Ward Walker.  
 Harold Oliver Sand.  
 Cyril Drew Pearson.  
 Raymond Henry Reece.  
 Harlan Thurston McCormick.  
 Henry Peter Burgard, 2d.  
 Alexander Gilbert Sand.  
 Ray Olander Welch.  
 George William Richard Wilson.  
 John Lamont Davidson.  
 Julian Erskine Raymond.  
 Abraham Sheridan Abel.  
 George Honnen.  
 Charles Porter Amazeen.  
 Edward Thomas Williams.  
 Frank Thweatt Searcy.  
 George William Bailey, jr.  
 Henry Kirk Williams, jr.  
 Alan Lockhart Fulton.  
 Terrence John Tully.  
 William McKinley Laumeister.  
 Paul Clarence Kelly.  
 Sidney Ginsberg.  
 James Miller Rudolph.  
 William Earl Crist.  
 William Roe Brewster.  
 Claude Monroe McQuarrie.  
 Charles William Smith.  
 William Lemuel Mitchell.  
 Harrison Guinther Travis.  
 Escalus Emmert Elliott.  
 Milton Cogswell Shattuck.  
 Joseph Vincent de Paul Dillon.  
 Francis James Starr.  
 William Edward Ryan.  
 Hayden Adriance Sears.  
 Newton Nevada Jacobs.  
 John Thomas Lynch.  
 John Black Reybold.  
 John Raoul Guiteras.  
 William Dickey Long.  
 Henry Irving Hodes.  
 Clifford Augustine Taney, jr.  
 Paul Earl Tombaugh.  
 Harvey Kenneth Greenlaw.  
 William Joel Tudor Yancey.  
 Leon Eugene Lichtenwalter.  
 Sidney Rae Hinds.  
 John Aloysius McNulty.  
 Halley Grey Maddox.  
 Snowden Ager.  
 John English Nelson.  
 Randolph Burt Wilkinson.  
 Dean LeRoy Sharar.  
 John Talbot Curtis.  
 George Hasbrouck Krause.  
 Harold Todd Turnbull.  
 Hugo Peoples Rush.  
 John William Vickers.

Wray Bertrand Avera.  
 Charles Fox Ivins.  
 Walter Daniel Bule.  
 John Taylor Ward.  
 John Elmer Reiferson.  
 Edward Maurice Flexner, jr.  
 Henry Jackson Hunt, jr.  
 George Huston Bare.

#### PHILIPPINE SCOUTS.

Cadet Pastor Martellino y Concepcion to be second lieutenant.

#### APPOINTMENTS IN THE OFFICERS' RESERVE CORPS OF THE UNITED STATES ARMY.

*To be major general.*

John Francis O'Ryan.

*To be brigadier general.*

Frank Thomas Hines.

## HOUSE OF REPRESENTATIVES.

SATURDAY, January 29, 1921.

The House met at 12 o'clock noon.

The Rev. James Shera Montgomery, D. D., pastor of Calvary Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, we thank Thee for the wonder of life, but stay with us. Only in Thy mercy can we live. Thy compassion is new every morning. May we be men of the day dawn, living in the inspiration of hope and faith until the shadows flee away, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### THE PACKERS.

Mr. McCLINTIC. Mr. Speaker, my attention has been called to an article published in a Washington paper that reflects to a certain extent upon this House, and contains statements that I have never made. In fairness to the Ways and Means Committee I think the article ought to be read to the House, and I would like to have a few minutes to comment on the same.

The SPEAKER. How much time does the gentleman want?

Mr. McCLINTIC. Seven minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to address the House for seven minutes. Is there objection?

Mr. MADDEN. Reserving the right to object, what is the article about?

Mr. McCLINTIC. It is about the packers having control and causing certain action to be taken, attributing certain statements to me which I did not make, neither do I know anything about.

Mr. MADDEN. Does it amount to a question of privilege?

Mr. McCLINTIC. I do not know that it is exactly a question of privilege, but I thought as it made insinuations against the members of the Ways and Means Committee it ought to be brought to the attention of the House. I want to deal fairly with the House, but if the gentleman from Illinois wants to object, all right.

Mr. MADDEN. I do not want to object.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, I ask that the Clerk read the article referred to.

The Clerk read as follows:

[From the Washington Herald, January 29, 1921.]

McCLINTIC STILL CONTINUES HIS ONE-MAN FILIBUSTER—WON'T ALLOW EXTENSION OF REMARKS IN RECORD AND FORCES ATTENDANCE.

Representative McCLINTIC, of Oklahoma, yesterday continued his filibuster begun the day before in the House, refusing to allow any extension of remarks in the RECORD, and keeping Members running back and forth from their offices to the House Chamber throughout the day with points of no quorum.

Just what McCLINTIC is on the war path about is still a mystery, since he is keeping his own counsel, but that his ire has been aroused there can be no question.

His friends say he was "double-crossed" by the Democratic committee on committees, which promised him an assignment on the Agriculture Committee and then decided to make no committee assignments until next session.

#### BLANTON HALTS SPEECHES.

While the committee ascribed its action to "policy," McCLINTIC's friends intimate it really was the result of efforts of the packers' lobby to prevent the Oklahoman, who is in favor of regulating the

packing industry, from gaining a place on the Agriculture Committee, where the bill is being considered.

McCLINTIC twice attempted to make a prepared speech on emergency tariff legislation, but was cut off by objection of BLANTON, of Texas. It is understood the speech will contain sharp criticism of Representative GARNER, of Texas, ranking minority member of the Ways and Means Committee, for getting off the Democratic reservation by favoring the emergency tariff measure.

GARNER, who is in line for the House leadership in the next Congress in the event CLAUDE KITCHIN is physically unable to assume the post, also is chairman of the committee on committees which failed to assign McCLINTIC to the Agriculture Committee.

McCLINTIC has resigned from all his committee assignments, including the Joint Senate and House Committee on Printing, the House Committee on Printing, and the Committee on Elections No. 1, and apparently is determined to fight out the issue to the end.

Representative WALSH (Republican), of Massachusetts, charged McCLINTIC with throwing a monkey wrench in the legislative machinery to air a personal grievance, but the Oklahoman replied that he was merely trying to help the Republicans carry out their campaign pledges for a great wave of economy and to keep a quorum present to transact the Nation's business.

McCLINTIC called attention to an extension of remarks made by a "certain Senator" Thursday, taking up 90 pages of the RECORD at a "cost of several thousand dollars," and declared he intended to put a stop to the practice, so far as the House is concerned.

The RECORD disclosed that the remarks were made by Senator SHERMAN, of Illinois, in defense of the packers and in opposition to the Kenyon-Kendrick packer regulation bill which passed the Senate Monday.

Mr. McCLINTIC. Mr. Speaker and gentlemen of the House, the reason that I have brought this to the attention of this body is that I have never in any way connected any Member of this body with the packers or their efforts to control certain legislation. I have been informed, and it is generally known, that there are in and around this Capitol certain agents or certain men who are interested in keeping the packing industry from being regulated. I am of the opinion that years ago the banks, or those who own the banks, objected to Government regulation and control. I am now of the opinion that if anyone should seek to destroy that regulation and control the honest bankers would object, realizing that wildcat banks would soon come in and destroy the industry.

I am likewise of the opinion that that same statement applies to many other kinds of activities in this Nation. I can see no reason why an honest packer would not be willing to have his business honestly regulated in order that his business might receive the protection it is entitled to in the future. [Applause.]

I do not think that statement ought to be made against the members of the Ways and Means Committee. I merely wanted to say to the House that I am not responsible for the statement in that article which refers to the packers. You and I know that where there is a lot of smoke there must be a little fire. I am in favor of the regulation of the packers, and I do not know if they have brought any pressure to bear to keep me off of any committee or not. I do not intend to impede the progress of this House, and the only reason that I have been doing some work here lately is because I want the House run in the regular way and to cut out some of the abuses that I have called to the attention of the House from time to time. I felt that the members of the Ways and Means Committee, against whom this statement is indirectly made, should have the benefit of this statement from me.

#### ARMY APPROPRIATION BILL.

Mr. ANTHONY, from the Committee on Appropriations, by direction of that committee, reported the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, which was read a first and second time and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union.

Mr. SISSON reserved all points of order.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ROGERS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15872, the Diplomatic and Consular appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TOWNER in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. The Clerk will read.

Mr. BLANTON. Mr. Chairman, when we concluded yesterday afternoon the item on page 4, lines 11 and 12, was under consideration. It provided for an interpreter to the legation and consulate general to Persia, at a salary of \$2,000 per year. I had made the point of order against the paragraph for the reason that it was legislation unauthorized on an appropriation bill. The gentleman from Massachusetts [Mr. ROGERS] had conceded that there was no law authorizing it, and had asked for

a few moments to explain certain other items. The Chair had not yet ruled that the paragraph was out of order, and I think at this time the ruling of the Chair, which was based upon the concession of the gentleman from Massachusetts, should go in the RECORD to show that the point of order was sustained.

Mr. ROGERS. Mr. Chairman, I think the gentleman states the matter correctly.

The CHAIRMAN. The point of order made by the gentleman from Texas is sustained, and the Clerk will read.

The Clerk read as follows:

Interpreter to legation and consulate general to Bangkok, Siam, \$2,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that there is no law authorizing an interpreter to legation and consulate general to Bangkok, Siam, at a salary of \$2,000 per year.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For 10 student interpreters at the embassy to China, who shall be citizens of the United States, and whose duty it shall be to study the Chinese language with a view to supplying interpreters to the embassy and consulates in China, at \$1,500 each, \$15,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in China so long as his services may be required within a period of five years.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For the payment of the cost of tuition of student interpreters in China, at the rate of \$350 per annum each, \$3,500.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede all of the points of order that the gentleman may see fit to make in wrecking this bill.

The CHAIRMAN. The committee must proceed regularly. Does the gentleman concede this point of order is well taken?

Mr. ROGERS. I do.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For six student interpreters at the embassy to Japan, who shall be citizens of the United States, and whose duty it shall be to study the Japanese language with a view to supplying interpreters to the embassy and consulates in Japan, at \$1,500 each, \$9,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter at the embassy or consulates in Japan so long as his services may be required within a period of five years.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph just read, that it is legislation on an appropriation bill and is unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For the payment of the cost of tuition of student interpreters at the embassy to Japan, at the rate of \$200 per annum each, \$1,200.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For four student interpreters at the legation to Turkey, who shall be citizens of the United States, and whose duty it shall be to study the language of Turkey and any other language that may be necessary to qualify them for service as interpreters to the legation and consulates in Turkey, at \$1,500 each, \$6,000: *Provided*, That the method of selecting said student interpreters shall be nonpartisan: *And provided further*, That upon receiving such appointment each student interpreter shall sign an agreement to continue in the service as an interpreter to the legation and consulates in Turkey so long as his services may be required within a period of five years.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is legislation on an appropriation bill unauthorized by law.

Mr. ROGERS. Mr. Chairman, I concede the point of order.



The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For the payment of the cost of tuition of student interpreters at the legation to Turkey, at the rate of \$200 per annum each, \$800.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph, that it is legislation on an appropriation bill, unauthorized by law.

Mr. ROGERS. Mr. Chairman, of course this is not legislation on an appropriation bill, as far as this paragraph goes.

Mr. BLANTON. Also that it is not germane. There are no student interpreters at the legation to Turkey, and therefore it would be unauthorized to appropriate the cost of tuition for them.

Mr. ROGERS. Mr. Chairman, the point of order that the gentleman raised was that this is legislation on an appropriation bill, and it is not.

Mr. BLANTON. And that there is no authority of law for it and that it is not germane.

Mr. ROGERS. The gentleman did not make that point of order. If he makes it, I concede it.

The CHAIRMAN. The Chair sustains the point of order, and the Clerk will read.

The Clerk read as follows:

No person drawing the salary of interpreter or student interpreter as above provided shall be allowed any part of the salary appropriated for any secretary of legation or other officer.

Mr. BLANTON. Mr. Chairman, I make the point of order that the paragraph is out of order because it is legislation on an appropriation bill, unauthorized by law, that it is not germane to the bill or to the paragraph, and that there is no authority of law for it.

Mr. ROGERS. Mr. Chairman, that particular paragraph is a limitation. In view of the fact that the gentleman has smashed his way through all of these interpreters up to this point, I do not know whether there is very much utility in retaining the paragraph.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

Total, \$39,500.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. The totals, I understand, are to be corrected by the Clerk?

The CHAIRMAN. The Clerk is authorized to correct all totals. The Clerk will read.

The Clerk read as follows:

#### QUARTERS FOR STUDENT INTERPRETERS AT EMBASSIES.

For rent of quarters for the student interpreters attached to the embassy to Japan, \$1,200.

Mr. BLANTON. Mr. Chairman, I make the point of order to lines 13, 14, and 15, that it is legislation on an appropriation bill, unauthorized by law, and that it is not germane.

Mr. ROGERS. Mr. Chairman, I combat both points of order. This is not legislation on an appropriation bill, and certainly is germane to the general subject matter of the bill under consideration.

Mr. BLANTON. And that it is unauthorized by law. The gentleman failed to catch that point.

Mr. ROGERS. The gentleman did not make that point of order. I submit that he ought to be confined to a point of order and not be allowed to pop up two or three times trying to think of some additional ones.

Mr. BLANTON. Mr. Chairman, for the benefit of the gentleman from Massachusetts, I would like to have the clerk report the point of order as I made it, so that he would be satisfied that I did make the point of order, that it was without authority of law.

Mr. WILLIAMS. Mr. Chairman, I demand the regular order.

The CHAIRMAN. It appears to the Chair, and he asks the gentleman from Massachusetts for information, that the appropriation seems to be for rent of quarters for the student interpreters attached to the Embassy to Japan. Are those interpreters being used—

Mr. BLANTON. May I make a suggestion to the Chair?

The CHAIRMAN. The Chair had not finished his interrogation. Were these quarters being used and have they been used for the student interpreters at Japan?

Mr. ROGERS. Yes, Mr. Chairman.

The CHAIRMAN. That has been considered as being the continuation of an existing proposition. Does the gentleman from Massachusetts think that it would be justified in the present instance as a continuation of a project?

Mr. ROGERS. I will be entirely frank with the Chair and will say that I had not supposed this item would be in order

for the reason the Chair suggests. My contention was that the point of order made by the gentleman from Texas did not attack the item in any vulnerable point.

The CHAIRMAN. If subsequently made the Chair would have entertained it in any event. Now, the Chair is trying to obtain information and whether the objection in its fullest form is well taken. And the Chair is asking the gentleman from Massachusetts what his suggestion is with respect to that proposition?

Mr. ROGERS. Well, in my judgment, this item is not defensible if the point of order is specifically raised against it. There is no authority of law on the basis on which this item is presented. In other words, that there is no continuous obligation upon the United States—

The CHAIRMAN. Sustained, and the Clerk will read.

The Clerk read as follows:

For rent of quarters for the student interpreters attached to the legation to Turkey, \$800.

Mr. BLANTON. Mr. Chairman, I make a point of order that there is no authority of law for this item; it is legislation on an appropriation bill and is not germane.

The CHAIRMAN. What does the gentleman from Massachusetts say?

Mr. ROGERS. I concede the point of order.

The CHAIRMAN. Sustained, and the Clerk will read.

The Clerk read as follows:

#### CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for travelling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, including such loss on bills of exchange to officers of the United States Court for China, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, \$800,000: *Provided*, That hereafter no part of any sum or sums appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, for the following reason: That the following portions of the paragraph are unauthorized by law, is legislation upon an appropriation bill without authority of law, to wit, beginning in line 7, the following language: "including such loss on bills of exchange to officers of the United States Court for China"; and, beginning in line 11, the following: "\$800,000," for the reason that it has without authority of law been increased by this committee from the sum of \$398,585 to \$800,000; and the further language, which is legislation and which has no authority of law, to wit, beginning in line 11: "*Provided*, That hereafter no part of any sum or sums appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission."

The CHAIRMAN. Does the gentleman from Texas make the point of order against the entire paragraph because of the parts specified?

Mr. BLANTON. I do, particularly because of the raise by the committee from \$398,585 to \$800,000.

The CHAIRMAN. The Chair does not think the gentleman understood. Does the gentleman raise the point of order against the particular language to which he called attention, or does he object to the paragraph because it contains that language?

Mr. BLANTON. I object to the whole paragraph because it contains the provisions mentioned, and specially because of the raise in the amount from \$398,585 to \$800,000.

The CHAIRMAN. Sustained.

Mr. ROGERS. Will the Chair permit me to be heard on this point?

The CHAIRMAN. The first part of the paragraph does contain some legislation—

Mr. MANN of Illinois. Where does it contain legislation?

The CHAIRMAN. The Chair is referring to the language of the proviso in making that ruling, and the Chair has been advised by the adviser to the Chair that certain language contained in lines 6, 7, 8, 9, and 10, on the seventh page, is new legislation, and therefore—

Mr. MANN of Illinois. I heard the Chair state that something in the paragraph was legislation, but I could not hear what it was.

The CHAIRMAN. The Chair was advised by the parliamentary clerk that the language, and the Chair asked the gen-

tleman from Massachusetts in regard to it, commencing with the word "and," at the end of line 5, down to and including the figures "\$800,000," in line 11, and also the word "hereafter," in line 12, are all new.

Mr. MANN of Illinois. Well, plainly, Mr. Chairman, that is not legislation. It is an appropriation, but whether authorized by law I do not know, but it is not legislation. It is merely an appropriation. The proviso is merely a limitation.

The CHAIRMAN. The proviso, the Chair thinks—well, he will not pass upon that. The objection is to the entire paragraph because of this matter, and the Chair believes it is the duty of the Chair to sustain the objection.

Mr. ROGERS. Will the Chair hear me briefly on the portions of the paragraph that relate to loss on bills of exchange?

The CHAIRMAN. Does the gentleman from Massachusetts admit that part of the paragraph is subject to a point of order?

Mr. ROGERS. I am inclined to think that the proviso in its present form, because it contains the word "hereafter," is subject to the point of order, but before preparing an amendment to meet that particular objection I should like to learn the mind of the Chair in respect to the language of the substantive part of the paragraph.

The CHAIRMAN. The Chair just called attention, in answer to the question of the gentleman from Illinois, to a part of the paragraph that the Chair is advised is subject to a point of order.

Mr. ROGERS. Will the Chair hear me upon that phase of the question?

The CHAIRMAN. Why, certainly, as to the language commencing with the word "and," in the seventh line, and ending with the amount of \$800,000, in line 11, and as to the word "hereafter," on line 12 of the proviso.

Mr. ROGERS. With respect to the matter of loss on bills of exchange, it is necessary every quarter for every foreign agency of the United States, whether an embassy, legation, or consulate, or the United States Court in China, to forward to the seat of government a statement showing the receipts or expenditures which have been involved in the accounts of the particular office for the previous quarter. In the event that the receipts exceed the expenditures in the particular office, it is necessary for that office to send by draft an amount representing the excess.

In the event, on the other hand, that the expenses exceed the receipts, it is necessary for that office to draw a draft on Washington in order to make up the deficiency. That process, even under the normal banking conditions throughout the world, involves a certain loss in exchange. In normal years it has been as low as \$8,000. For the current year, because of the abnormal and upset international banking situation, the necessary amount greatly exceeds that sum. But an appropriation of this character is essential for the carrying on of our diplomatic business throughout the world.

Mr. Chairman, there has been recently a line of rulings upon this general type of question, which, it seems to me, makes this item in order on this bill.

The CHAIRMAN. Let the Chair ask the gentleman if this language is entirely new? Has it ever been contained in previous appropriation bills?

Mr. ROGERS. This language has been contained for the past 10 years, at least, in every appropriation bill.

Mr. BLANTON. What about the word "hereafter"?

Mr. ROGERS. I am dealing, if the gentleman will permit, only with the language in the substantive part of the paragraph.

The CHAIRMAN. The Chair did not quite understand the gentleman from Massachusetts. Will he be kind enough to restate it?

Mr. ROGERS. I stated to the Chair that this particular language contained in lines 6 to 11 has been carried yearly in the appropriation bill for many years.

The CHAIRMAN. And the appropriation itself has been carried?

Mr. ROGERS. The appropriation itself has been carried.

Mr. BLANTON. I am sure the gentleman does not want to carry that impression, because upon reflection he will remember that while there has been an appropriation heretofore, it heretofore has been \$398,585, and now it is \$800,000.

Mr. ROGERS. The amount of the appropriation presents no question of a point of order. There is no statutory limitation of the amount to be carried in this item, although the gentleman, perhaps inadvertently, stated that there was a statutory limitation. This amount varies from year to year. I do not recall that for years it has run twice the same. In other words, this amount necessarily rises and falls with the demands upon the Diplomatic Service.

The CHAIRMAN. Let me say to the gentleman from Massachusetts [Mr. ROGERS] that it seems to the Chair that the explanation made indicates quite clearly that this is a necessary incident of the legations, no matter in what form it may be, and I think the point of order as against that language is not well taken as it was stated. I think I know what the gentleman from Texas is going to say about it. Of course, the word "hereafter" still carries an objection.

Mr. ROGERS. I have an amendment prepared to deal with the point of order against the proviso.

The CHAIRMAN. The record should be kept clear, and the Chair sustains the objection of the gentleman from Texas [Mr. BLANTON].

Mr. ROGERS. Mr. Chairman, I offer an amendment.

Mr. MADDEN. Mr. Chairman, I would like to be heard on this. But if the Chair has already decided—

The CHAIRMAN. The Chair will recognize the gentleman as soon as this amendment is read.

Mr. MADDEN. If the Chair has already decided, of course I do not care to take up the time.

The CHAIRMAN. The Chair did not understand the gentleman's request. He will be glad to hear the gentleman. I did not understand that he desired to be heard on the point of order.

Mr. MADDEN. I do not care to be heard, inasmuch as the Chair has already decided the question.

The CHAIRMAN. The Chair states that he did not understand the gentleman desired to be heard on the point of order.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. ROGERS: Insert on page 4, after line 9, the following paragraph:

Mr. ROGERS. It should be page 6, after line 18.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Did not the Chair sustain the point of order to the paragraph?

The CHAIRMAN. Yes, sir.

Mr. BLANTON. The gentleman's amendment seeks to begin in the middle of the paragraph.

The CHAIRMAN. We will hear what the amendment is. The Clerk will read it.

The Clerk read as follows:

#### CONTINGENT EXPENSES, FOREIGN MISSIONS.

To enable the President to provide, at the public expense, all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several embassies and legations in the transaction of their business, and also for rent, repairs, postage, telegrams, furniture, typewriters, including exchange of same, messenger service, compensation of kavasses, guards, dragomans, and porters, including compensation of interpreters, and the compensation of dispatch agents at London, New York, San Francisco, and New Orleans, and for traveling and miscellaneous expenses of embassies and legations, and for printing in the Department of State, and for loss on bills of exchange to and from embassies and legations, including such loss on bills of exchange to officers of the United States Court for China, and payment in advance of subscriptions for newspapers (foreign and domestic) under this appropriation is hereby authorized, \$800,000: *Provided*, That no part of this sum appropriated for contingent expenses, foreign missions, shall be expended for salaries or wages of persons not American citizens performing clerical services, whether officially designated as clerks or not, in any foreign mission.

Mr. BLANTON. Mr. Chairman, I ask recognition in opposition to the amendment.

Mr. McKEOWN. Mr. Chairman, I wish to be heard in favor of the amendment.

The CHAIRMAN. The Chair will recognize the gentleman from Oklahoma [Mr. McKEOWN].

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, I am not a member of the Committee on Foreign Affairs, but this use of the point of order, of course, can be of great benefit to the people and to the country and can also be used in great damage to the public welfare.

Now, America is in this kind of a position: She is seeking to expand her foreign trade, and the prosperity of this country is going to depend upon what success the United States shall make in the next three or four years in the expansion of its foreign trade.

In order to secure foreign business it is necessary for the United States to have some sort of relations with these people. America must have her representatives there, and unless she does she will find herself outstripped in the race for commerce and trade. If we are to have employment for our people, if we are to secure prosperity in this country, we must have foreign markets.

Constantly striking out important matters in the bill means that there must be more work for the Congress to do. For my-



self I want to go on record in favor of legislation making sufficient appropriations to put America to the forefront in her foreign relations. I repeat I am not a member of this committee; I am not interested in the personnel of the men who make up the State Department. For my part I think a lot of the men in the State Department need to be "worked over," as the expression is—a lot of men in foreign posts upon whom we depend to transact business for the people of this country who do not go to their offices probably until 11 or 12 o'clock; and they will not answer the correspondence of business men promptly. They will be there probably until 2 o'clock in the afternoon, and then they are gone. It is necessary for some men to do the society act because it is necessary for our representatives abroad to conform to the customs of the various peoples of the world, and it would be just as much out of place to put to the task a stern business man to transact diplomatic relations with some of our sister nations as it would be to try to sell silk hats down in Oklahoma or to sell cowboy boots on Broadway, New York.

But here, my friends, is the proposition: America, if she succeeds, if her merchant marine amounts to anything, has got to have friendly relations with the foreign nations of the world, and you can not have those relations in competition with Great Britain unless you have the people who can promote them. For centuries in Great Britain they have gone down to the sea. That has been the business of the British, to go down to the sea to develop commerce and business for the country.

If America is to succeed she must send her best men, her trained men, down to the sea, where they can get into friendly relations with the people of the world. The people of the world will not trade with America unless they like American business men and their methods. You can no more do business with Latin America by the stern business methods which apply in this country than you can fly, because you have got to conform to the habits and the ways of the people of those countries; you have got to have that polite, suave manner that they have.

Gentlemen say, "We will strike out all this legislation because it is subject to a point of order." I have no criticism of that. That is a defense put here as one of the wise rules of the House.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. McKEOWN. It is a wise provision, but the very best provision you may have may be used for the detriment of the welfare of the country, and in this legislation here, if gentlemen want to get the right kind of reform, my idea of it is to separate the diplomatic department from the commercial department. You can take the commercial end of the business. When a business man of America writes a letter for information he wants prompt information; he wants it now. He does not want that letter to lie around for 8 or 10 days while the man who is to answer it plays society. He wants the information, and he wants it at once. You must necessarily have men who will and can do the polite things, men who are trained in doing society in order to maintain the proper respect of foreigners for our country. My idea about this legislation in this appropriation bill is that we ought to be economical in the expenditure of our money; we ought to get our money's worth, and we ought to provide only for necessary service; but at the same time we ought not to cripple this, which I think is one of the most important departments of our Government. [Applause.]

Mr. BLANTON. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, this House has selected, out of its membership of 435 Congressmen, 35 Members in whom is lodged the sole power of appropriation. That is the greatest power in this Congress. I voted for that proposition in the interest of economy. I believe, if properly exercised, it is going to result in much-needed economy. But we were then given to understand when we were called upon to vote for that proposition that this committee would be limited absolutely to appropriating money that was authorized by legislation passed by other legislative committees of the House. If you give this committee of 35 members legislative authority as well as the power of appropriation, then you might as well disband every other committee. You might as well send home to their respective districts every other of the 400 Members of Congress. They would be no longer necessary.

This committee seeks by this amendment to raise the sum that has always been appropriated in normal times for this particular item from \$398,585 to the great sum of \$800,000. What are some of the items for which this \$800,000 is to be paid? Look at the paragraph: Stationery, books, flags, signs, messenger service—and we know something about the messenger service—compensation of kavasses—

Mr. KING. Will the gentleman explain that word?

Mr. BLANTON. In a moment, please. Compensation of kavasses, guards, dragomans, and porters, and so on, \$800,000.

Now I know my good friend from Oklahoma [Mr. McKeown] well enough to know that he does not approve of all of the expenses that were brought about by that great retinue of Americans we had over in France at palatial hotels, their expenses amounting to \$1,651,191.09. I am one of the Congressmen who believe that Woodrow Wilson is the greatest living man in American to-day [applause], sick though he may be; but yet I do not approve of that expense account that his followers over there caused to be paid out of the Public Exchequer of the people. There have been too many servants over there; there have been too many compensations to kavasses [laughter] and guards and dragomans and porters. This distinguished subcommittee of five that has passed upon this bill has seen fit to increase this appropriation from \$398,585 to \$800,000. There is too much wine bought there in entertainments. There is too much high society there. As to the committee, I know some of the members are in high society here. They think that because they indulge in high society here our representatives over there should also indulge in high society in the courts of kings. But I want to remind my good friends who are taking the people's money out of a Treasury that is now depleted and facing a deficit of \$3,000,000,000 that high society in the United States, in a Republic, is very different to high society in the courts of kings. I want to tell you that the people of the United States will not approve of this item. They will not approve of the action of this committee in raising this amount from \$398,000 to \$800,000. I get along without indulging in high society. I am one man on the floor of this House who works 8, 10, 12, and 14 hours a day trying to save the people's money.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words.

We are appropriating under new conditions. We started in at the last session of the Congress to bring about a great reform, the reform of the budget. So far as the executive portion of that reform was concerned, we were unable to perfect it, owing to a disagreement with regard to one matter as between the Executive and the Congress; but the House of Representatives, by a very large majority, passed a self-denying ordinance—seriously self-denying on the part of some 150 or 160 Members of the House on both sides, who voluntarily deprived themselves of a large part of their authority in the interest of a system which we hope will mark a great improvement in the methods of appropriating. There may be some doubt and question with regard to that, but at least that is our expectation and our hope, and the people of the country expect us to give the new policy a fair trial.

Mr. GARNER. Will the gentleman yield for a question there?

Mr. MONDELL. If the gentleman will let me finish, then I will be glad to yield. When the new session convened there was a question, the executive budget having failed, as to whether or not it was wise and proper that we should go on with our part of the reform, whether, handicapped as we knew we would be, it was the part of wisdom for us to go through with the program that we had adopted, or whether, owing to the failure of the executive portion of the budget, we should rescind the action we had taken. It was not only a matter of practical legislation but it was partly a matter of politics; not partisan politics, but a matter for proper political consideration. What would the country think of us, having adopted what the country believes is a great reform, whether we are all convinced of it or not, an election having passed, if we should rescind the action taken in the direction of reform and go back to the old and what is in the opinion of a majority of the people of the country the discredited practice of appropriations by many committees.

Mr. SNYDER. Will the gentleman yield?

Mr. MONDELL. In just a moment. It did not seem to me that we were justified in doing that. It seemed to me that whatever the handicaps were, whatever the difficulty in the way, having started on the path of a real, far-reaching, and exceedingly important reform, we should not turn our backs upon that part of it which has to do with our activities simply because we have not been able for the time being to complete the reform in all respects.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask unanimous consent that I may have five minutes more.

Mr. JOHNSON of Mississippi. Reserving the right to object, will the gentleman yield for a question?

Mr. MONDELL. My time has not been extended, and I will say frankly to the gentleman that while I would like to go on, I could not yield to the gentleman until after I had yielded to other gentlemen who have requested me to do so.

The CHAIRMAN. The Chair hears no objection to the request that the gentleman's time be extended five minutes.

Mr. MONDELL. Now, will the gentleman from Mississippi excuse me for a moment until I can complete a rather brief statement?

Mr. JOHNSON of Mississippi. Certainly.

Mr. MONDELL. Then I will be glad to answer these questions.

Under these conditions we took up our work. Having some responsibility in the matter, I took the trouble to say to the members of the Committee on Appropriations that I hoped nothing new in the way of an appropriation not clearly authorized by law would go on their bills; second, that nothing in the way of new legislation should be undertaken on the appropriation bills, no matter how much demand there might be for it; and, third, that in reporting their bills they should, so far as it was possible, eliminate items subject to a point of order not absolutely essential, even though they had been carried on bills in times past.

Manifestly it was not possible, and is not possible, for the legislative committees of the House to bring in at this session complete, thoroughgoing, all-embracing legislation covering the activities of the departments for which we appropriate. The very fact that in the past the committees did not guard their appropriation items with legislative authority is an evidence of how difficult it is to cover them all with substantive legislative provisions. I believed, however, that if the new and enlarged Committee on Appropriations brought in its bills stripped of everything unnecessary, extraneous, and new, this committee was entitled to and would, I hope, receive at least as much consideration on the part of the House as the committees formerly reporting these bills have received. This bill last year came from a committee that had legislative authority to protect its items, but the committee had not protected them with appropriate legislation; and gentlemen, as they will remember, allowed that committee to pass its bill with all those items upon it.

Mr. BLANTON. Oh, no; we had a special rule for them.

Mr. MONDELL. A few items went out, but in the main all these bills passed last year as they have passed year after year, subject to many points of order that were not made. The bills have heretofore been reported by committees that have authority to legislate and thus protect their appropriation items, but they have left many of them unprotected, and the House has been good-natured and kindly and considerate, as I think it should have been, and as I think it should be now. I am not going to impugn the motives of gentlemen—

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. MONDELL. I shall not impugn anyone's motives, because I realize the importance of protecting the jurisdiction of the legislative committees.

Mr. CARTER. Will the gentleman yield right there?

Mr. MONDELL. In just a moment. I would approve points of order made against items not essential to the business of the department for which we are appropriating, even though it had been carried on the bill in the past.

Now I yield briefly to the gentleman from Oklahoma.

Mr. CARTER. The gentleman speaks of defending the jurisdiction of the committee. Under the old system that question was not involved when legislative items were brought into the House, but is involved under the new system, and that, in my opinion, is the source of the whole trouble.

Mr. MONDELL. The gentleman knows that in the new Congress legislative committees will have abundant opportunity to bring in legislation covering and providing for the activities of the departments over which they have jurisdiction. If in the special session Members of these committees do perform that duty and make provision for the protection of necessary items, then I think gentlemen will be justified in insisting that the appropriation bills shall not carry items that are not provided for and protected by legislation.

Until the time has come when the committees charged with responsibility and armed with authority have the time to care-

fully prepare and bring in the legislation that will make necessary items in order, I think we ought to be as considerate of the Appropriations Committee as we have been of the other committees in the past and allow the committee to have its items considered on their merits. Now I yield to the gentleman from Texas [Mr. GARNER].

Mr. GARNER. I agree with the gentleman from Wyoming that this Congress should be as considerate of the Appropriations Committee as they have been of the other Appropriation Committees in the past. But it was distinctly understood, and I believe the gentleman from Wyoming will agree with me, that when that committee was created, that when it began to function in the way it was intended to function, that no legislation should be brought in on an appropriation bill.

Mr. MONDELL. No one has brought in any legislation.

Mr. GARNER. I want to call attention to the fact that there was a special rule brought in for the purpose of making legislation in order on the sundry civil bill, which was indefensible under that agreement. [Applause.] You brought in a rule to put legislation on the sundry civil bill, which was directly in violation of the agreement which you say was made.

Mr. MONDELL. That was done not only on the approval but largely at the suggestion of the legislative committee having the matter in charge. There was a complete understanding with regard to it, and a complete approval of it by the committee that had legislative jurisdiction.

Mr. GARNER. Will the gentleman yield? Let us have this understood. If I understand the gentleman, if this system continues in the House, and when the appropriate committee—the Judiciary Committee or the Naval Affairs Committee or the Military Affairs Committee—shall go out and consider propositions and come back and ask the Rules Committee to make it in order to go on an appropriation bill, the gentleman would favor that system.

Mr. MONDELL. Not at all; the gentleman knows as a practical legislator and an excellent one—he knows perfectly well that it would be utterly impossible for these legislative committees in the time we have in this session of Congress to prepare and bring in and for the House and Senate to pass a complete legislative program to cover these items. It could not be done in the time at our command, and therefore we must bear with the situation for the time being, only insisting that the committees shall not bring in new appropriations or legislative items not essential to the transaction of the business of the country.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SNYDER. Mr. Chairman, I ask that the gentleman have one minute more, in order to answer a question.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SNYDER. In the early part of the gentleman's remarks he used the word "reform" several times. I take it that the gentleman had reference to the Appropriation Committee of 35. What I want to ask the gentleman is under the methods now in use by the Appropriation Committee, wherein does it differ from the legislative appropriation committees that have heretofore been bringing in bills? Wherein is the difference between the activity of one and the activity of the other?

Mr. MONDELL. The gentleman knows that I am not one of those who was absolutely convinced that the single Appropriations Committee was an essential part of the budget reform, but it is true that almost every advocate and student of the budget considers a single Appropriations Committee as an essential part of the system, and I accept that judgment. At least I am convinced that we should, and I am quite certain we shall, try out the single committee in the next Congress. Gentlemen may not have faith in it, but the country expects us to try out this feature of a budget system, and we shall not disappoint the country in this regard.

Mr. BANKHEAD. Mr. Chairman, to-day marks the eightieth birthday of our universally beloved colleague, Maj. CHARLES M. STEDMAN, of North Carolina. [Applause.] I voice the combined sentiment of every Member of this body in extending to him on his anniversary our unreserved and spontaneous congratulations and good wishes. [Applause.] He is the only surviving Member in either branch of Congress of that valiant host of men who fought in the Confederate Army. And while he has never and never will surrender his conviction of the justice of the cause for which he and his comrades endured so much, there is no man in this Republic to-day who loves his whole country with a more profound devotion. [Applause.] We not only felicitate our colleague upon his natal day, but we congratulate the great constituency which he represents and the



Commonwealth which gave him birth upon having in him a representative of lofty ideals and splendid attainments, a spokesman whose heart knows no guile, an exemplar of that none too rare type, an upright Christian gentleman. May God graciously give him yet many years to enjoy the universal confidence, respect, and veneration not only of his own people but of the country at large.

Where Maj. STEDMAN walks, there goes a man. [Applause.]  
Mr. SMALL rose.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN (Mr. MANN of Illinois). The gentleman from Massachusetts asks unanimous consent that all debate upon the pending paragraph and all amendments thereto close in five minutes. Is there objection?

Mr. BEGG. Mr. Chairman, I would like to have five minutes.

Mr. ROGERS. Then I modify the request to 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, I take the privilege of commenting briefly upon this supposed legislative reform to which the distinguished gentleman from Wyoming [Mr. MONDELL] has referred. I think Congress has, without necessity, abnegated its power to a coterie of men who are not entitled to that distinction. [Applause.] I can say this for two reasons. First, I shall not be a Member of the next Congress; and, second, I think I can express the thoughts of a great many of the majority who might feel embarrassed in expressing their views themselves. It will not work. Take, for instance, the distinguished Committee on Military Affairs, some of the members of which have served long in Congress and have made a profound study of the subjects of which that committee has jurisdiction. With the jurisdiction to make appropriations for the War Department transferred to the Committee on Appropriations, the military bill is referred to a subcommittee composed of five. Assume, if you please, that two members on that subcommittee, or even three, are members of the old Committee on Military Affairs, yet at least two are new to the legislation involved. The subcommittee enter upon the consideration of the estimates or budget and finally bring in the bill. We may credit them with diligence and capacity in the discharge of their duties. They report it to the full Committee on Appropriations. The full committee meets some morning at 10 o'clock or 10:30 o'clock and hear from the chairman of the subcommittee some of the leading outstanding facts connected with the appropriation bill. They then have a little table discussion, and then some one moves to authorize the chairman to report the bill to the House. The full Committee on Appropriations, with the possible exception of the chairman and perhaps a few other diligent members, know nothing more about the military appropriation bill than the average intelligent, diligent Member of the House. The result is that the subcommittees frame these appropriation bills, and the query naturally arises, Who is best equipped to formulate these appropriation bills, a subcommittee of five of the Committee on Appropriations or the Committee on Military Affairs or any other of the committees formerly having jurisdiction of these various subjects, most of whom have given many years of study to the questions involved in the maintenance of the various establishments? I have no doubt in the world that Members in the Sixty-seventh Congress will decline longer to surrender their functions both as Members of the House and as members of these important committees to a subcommittee of the Committee on Appropriations. It is not in the interest of wise legislation. We ought to return to the old plan, and there is no substantial reason why they should not return. A single committee making all appropriations is not an essential of a budget system. I know that theoretical writers have said so, but I am expressing this opinion from the standpoint of a Member of the House who has endeavored to observe legislation here and who believes that the best legislation in the way of appropriation bills for these several activities of the Government can be prepared by committees who have given many years of study to the problems.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to proceed for one minute more, that time not to be taken out of the time already agreed upon.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for one minute more, and that the time for debate be extended for one minute. Is there objection?

There was no objection.

Mr. SMALL. Just to supplement this last thought, it is not necessary to a budget system. I am sure that every Member of this House and every student of the subject will agree that we have acted wisely in having passed a budget bill, which unfortunately and for perhaps a good reason was vetoed, but which I hope will pass in the next Congress or even at this session and become a law. Every student of the subject believes in a budget system, but that budget law, or whatever law may be passed, will be entirely workable and be consistent without one single appropriating committee. Let the appropriations for the activities of the Government be made as they have been made in the past by these separate committees who are prepared and equipped to serve Congress and to serve the country more acceptably than under the present plan. [Applause.]

Mr. BEGG. Mr. Chairman, I had not intended to say anything at this time upon this proposition. I was waiting for a later paragraph, but inasmuch as the subject has been opened by our distinguished leader, the gentleman from Wyoming [Mr. MONDELL], I want to call the attention of the Members of the House to a situation that presents itself particularly upon the Diplomatic and Consular appropriation bill. The argument is presented by those in office that there must be a certain amount of elasticity. There are in this bill two or three items that constitute a cesspool of unauthorized expenditures. Last year I had the opportunity to investigate some of those things myself. This year I was distinctly given to understand that it was not any of my business. Last year in the committee I fought an appropriation for \$700,000 for the President of the United States to spend as he saw fit. There were members of the committee who wanted to give him \$1,000,000. Every single man on that committee, I think, if the records had been kept, would be shown to be in favor of giving him the full \$700,000 save myself. I wanted to make it \$200,000, and we compromised after three days of endeavor on \$400,000, and I say to you that the Department of State was not handicapped one bit by being compelled to work on \$400,000.

The chairman of this subcommittee was last year a member of the Committee on Foreign Affairs, a worthy and competent member. He now brings in a report for \$200,000. I want to cut that down. The distinguished leader says, of course, any man reserves the right to offer an amendment that will reduce an appropriation. I have not been here very long, but I have learned that it is just like pulling a molar tooth to do so, because the distinguished gentleman from Wyoming [Mr. MONDELL] himself, if the situation gets to be critical, will jump on the floor and appeal to all our loyal and patriotic principles, to the Republican Party, to stand by the committee, and I am one of the fellows who stand with him when he does that.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BEGG. In a minute. Then the only thing left to do is to make the point of order, and after we make the point of order we get publicly spanked. I do not mind that, because I have been spanked so many times. However, I do not want the public to think any such thing as the leader said, that this is a part of the budget. This is simply one of the blunders of the so-called reform of the budget scheme [applause], and if those who proposed it have not the stamina and courage to undo their mistakes, I say to you that we will be in a worse plight.

Mr. MONDELL. Mr. Chairman, will the gentleman yield?

Mr. BEGG. I am glad to yield to the gentleman.

Mr. MONDELL. The remarks I made have no reference to a point of order that is made for the purpose of getting an item out that a Member thinks should not be in a bill or an indirect way of preventing an increase of an item or possibly eventually securing a decrease. What I had in mind was the making of a point of order against an item to which there was no special objection, simply because it was subject to a point of order. One is a legitimate legislative effect to accomplish what the Member believes ought to be done.

Mr. BEGG. I can not yield any more because my five minutes will be over in a minute. The gentleman's explanation is entirely satisfactory to me. I simply want to call the attention of this House or this committee to the fact that the laws that have been carried in the statute annually, not statute law but temporary law, have been rewritten, reworded, and resalaried without any further investigation than three men have given to them and we have to come in here and O. K. everything. Now I maintain that the people who sent me to Congress did not send me down here to be a poll parrot [applause], and I maintain they want me to investigate the expenditures of my Government just as much as they want me to take the word of the gentleman from Massachusetts, whose word I never doubt; I do not always agree with his judgment, but I do not believe this scheme is conducive to good Government in a democracy. [Applause.]

Mr. CONNALLY. Will the gentleman yield?

Mr. BEGG. I will be glad to yield for a question.

Mr. CONNALLY. The gentleman is a member of the majority party and a member of the Committee on Foreign Affairs. Can he state what that committee has done toward bringing in an authorization—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEGG. Mr. Chairman, I ask unanimous consent that I may have two minutes more.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the time for debate be extended two minutes and that he be given those two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BEGG. Now, will the gentleman from Texas repeat the question?

Mr. CONNALLY. The gentleman is a member of the Committee on Foreign Affairs and a member of the majority party. Can he state any reason why that committee does not bring in a bill making an authorization for necessary expenses in order that—

Mr. BEGG. The gentleman from Texas, who is a member of the Committee on Foreign Affairs, knows as well as I know that we have not time to do that, and I am not condemning entirely what has been done, but I do think that men who want to take the responsibility of making points of order on legal grounds under this rule should not be censured nor criticized nor publicly spanked, and as far as I personally am concerned I expect to make a point of order or two if my kind friend from Texas does not do it for me.

Mr. BLANTON. Will the gentleman yield?

Mr. BEGG. But I do not think a man necessarily is gaining anything by wrecking the whole bill and ripping it wide open because—I will yield to the gentleman in a minute—it will come back to us, I know that, and the final result will be that instead of the House legislating it is going to be the other side of the Capitol passing an appropriation bill for us.

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

TRANSPORTATION OF DIPLOMATIC AND CONSULAR OFFICERS IN GOING TO AND RETURNING FROM THEIR POSTS.

To pay the itemized and verified statements of the actual and necessary expenses of transportation and subsistence, under such regulations as the Secretary of State may prescribe, of diplomatic and consular officers and clerks in embassies, legations, and consulates and their families and effects in going to and returning from their posts, or when traveling under orders of the Secretary of State, but not including any expense incurred in connection with leaves of absence, \$300,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph because of the inclusion of the following matter, which constitutes new legislation on an appropriation bill without any authority of law therefor, namely, in line 20 the word "subsistence"; in line 23 the words "and their families and effects," and to that part of the amount of the appropriation to cover these unauthorized items where the committee has increased the normal appropriation from \$50,000 to \$300,000.

Mr. ROGERS. Mr. Chairman, this item in identically its present form has been carried in prior appropriation bills, but I make no point of that. The amount is not a statutory amount, and, as a matter of fact, the size of the item for the last fiscal year was \$270,000. The recommendation asks for an increase to \$300,000, because a change of administration always involves a very considerable increase in the amount of travel.

Mr. BLANTON. And prior to last year it was only \$50,000?

Mr. ROGERS. No; that is not true.

Mr. BLANTON. Look in 1917; what was it then?

Mr. ROGERS. In 1915 and 1916 it was \$50,000.

Mr. BLANTON. And how much in 1917?

Mr. ROGERS. Nineteen hundred and seventeen, \$52,000.

Mr. BLANTON. Fifty thousand dollars, was it not?

Mr. ROGERS. Fifty-two thousand dollars. In 1918 it was \$125,000; in 1919 it was \$145,000; in 1920 it was \$270,000.

Mr. BEE. Will the gentleman yield?

Mr. ROGERS. I will.

Mr. BEE. Do I understand the increase is due to the fact that so many Democrats will be going home after the 4th of March next?

Mr. ROGERS. That is partly the reason.

Mr. BEE. I hope the gentleman from Texas will not object to Democrats having their way paid back home.

Mr. BLANTON. Democrats and Republicans all look alike to the gentleman from Texas when it comes to taking money improperly out of the Treasury.

Mr. ROGERS. Dealing with the actual question presented by the point of order, it is contemplated in the law that our officials in the Diplomatic and Consular Service shall be moved from post to post. As the chairman very well knows our appointments to the Diplomatic and Consular Service are not to a specific post, but as members of a specific class. The Secretary of State has authority, and frequently exercises that authority, to move our diplomatic and consular officers from station to station all over the world. But any increase in class or salary involves a new confirmation by the Senate. An earlier item in this very bill makes provision for the payment of salaries of diplomatic and consular officers while in transit to and from their posts.

In other words the payment of the travel expense account of members of the Diplomatic and Consular Service seems to me to be one of the necessary incidents of the proper maintenance of the service. I therefore contend the item is in order under prior decisions of the Chair on this bill and on other recent appropriation bills.

The CHAIRMAN (Mr. MANN of Illinois). May the Chair ask either of the gentlemen if there is any provision of law limiting what subsequent payments may be made by the Government?

Mr. ROGERS. I am not aware of any such limitation.

The CHAIRMAN. The Chair overrules the point of order, and the Clerk will read.

The Clerk read as follows:

STEAM LAUNCH FOR EMBASSY AT CONSTANTINOPLE.

The unexpended balance of the appropriation of \$1,800 for hiring of steam launch for use of embassy at Constantinople made in the Diplomatic and Consular appropriation act for the fiscal year 1921 is reappropriated and made available for the same purpose for the official use of the legation at Constantinople for the fiscal year 1922.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that there is no law authorizing it.

Mr. BEE. Will the gentleman reserve the point of order?

Mr. BLANTON. In just a moment. I make the point of order that there is no law authorizing the appropriation or reappropriation of \$1,800 for a steam launch at Constantinople. That was merely an unauthorized provision carried in the appropriation bill of last year. There is no authority of law for it.

Mr. ROGERS. Mr. Chairman, I freely admit that there is no substantive statute upon which this item is based. It has been carried for many years—since 1892, I believe—but I make no point of that. My contention on this item, as on the preceding item and on the contingent-expense item, is that this is a natural and proper instrumentality for carrying on the service of the United States at a particular post. In the case of Constantinople, the summer quarters of the embassy are some distance out in the country.

The climate of that city is such that all the diplomatic representatives of other countries as well as of our own country simply have to get away from the heat and transact their business in the summer at what is called the summer capital of Therapia. The journey to Therapia is necessarily by water. This item would have been in order if carried in the contingent-fund paragraph, and it bears a very close resemblance and analogy to the items which are specifically set forth and held permissible under the contingent fund. I submit to the Chair that there should be no less authority for carrying the item, because we carry it separately, so that the committee may see at once the precise purpose which is contemplated in connection with the use of this \$1,800.

The CHAIRMAN. The Chair thinks that is an incident connected with the embassy quite within the power of Congress to appropriate for without specific authorization, the same as for the purchase of pens and ink, or anything else necessary for the conduct of the embassy. The Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I just wanted to suggest to the Chair the line of argument that has been made from time to time with respect to unauthorized provisions for automobiles. Would not an automobile and a steam launch stand almost on the same footing?

The CHAIRMAN. That is a question that is not before the Chair at this time.

Mr. BEE. Mr. Chairman, I am not going to detain the committee, but my understanding of this item is that it is one that has been carried for many, many years; that the conditions at Constantinople are such that a steam yacht, as the gentleman from Massachusetts [Mr. ROGERS] has stated, is absolutely essential to the transaction of the business. We do not pay these men enough, anyway, and therefore a rich man has to be appointed to the office, and this is merely a reduction of the



expense that would fall upon the minister from this country to Turkey unless such provision is made. Because in going back and forth to his duties in the peculiar situation prevailing there it is essential that this steam yacht be used. And I hope there will be no objection to the item.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE.

To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States, and to meet the necessary expenses attendant upon the execution of the neutrality act, to be expended pursuant to the requirement of section 291 of the Revised Statutes, \$200,000, together with the unexpended balance of the appropriation made for this object for the fiscal year 1921, which is hereby reappropriated and made available for this purpose.

Mr. CONNALLY. Mr. Chairman, I offer an amendment to strike out "together with the unexpended balance of the appropriation made for this object for the fiscal year 1921."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY: Page 9, line 9, strike out the remainder of the paragraph.

Mr. CONNALLY. Mr. Chairman and gentlemen of the committee, the practice of carrying items in appropriation bills reappropriating unexpended balances is a very reprehensible and unwise practice. It does not convey to the membership of the House the real facts as to how much money a bill is appropriating, and it makes possible a showing of apparent savings which are not, in fact, true. Now, the gentlemen on the majority side of the House have adopted a practice of reappropriating unexpended balances and not carrying those items forward into their footings, and they go before the country with a great blare of trumpets professing to be really retrenching appropriations when, as a matter of fact, in many instances that is not the case.

Now, as to this particular item, I want to call the attention of the committee to the fact that prior to the war, in 1914, this sum was only \$50,000 for the President's emergency fund. In 1916 it was only \$75,000. Of course, during the existence of the war it was necessary to greatly increase this item, because the President was required in carrying on the diplomatic affairs of the Government during those troublous times to send a great many representatives to most of the countries of Europe. But that necessity is now passed, and there is no reason for appropriating a large sum to the President for what is known as the secret fund. Now, it is true that the incoming President perhaps will need more than the \$50,000 or more than \$75,000 appropriated before the war for financing an international scheme or plan which he may have in mind for bringing about an association of nations. And that is one reason I have not offered an amendment to cut it down to \$75,000, as it was before the war.

Mr. BEGG. Will the gentleman yield?

Mr. CONNALLY. I will yield.

Mr. BEGG. Has not the gentleman somewhat changed his position from that of a year ago, when he was in favor of making it \$700,000?

Mr. CONNALLY. I will say to the gentleman from Ohio that I do not recall for what amount I voted in the committee a year ago, but I will say to the gentleman that a year ago the condition of the world's foreign affairs and the foreign affairs of this Nation were in quite a different state from what they are to-day.

At that time this Nation was still negotiating with the other nations of the world for the purpose of bringing about some international agreement in behalf of peace and the settlement of international disputes by some tribunal, and it was necessary to have a fund of this kind in a large proportion, because the war, in addition to that, had left a great many diplomatic questions unsettled. My chief objection is to the habit this House has adopted of appropriating unexpended balances, when nobody on the floor, save perhaps the chairman of the committee, knows how much money is in the unexpended balance. For that reason I believe that \$200,000 will be ample during the coming year in the hands of the new President in carrying on any negotiations that he may see fit to pursue in bringing about an association of nations, which he has announced to the world is his purpose during the early days of his tenure of office. Two hundred thousand dollars, gentlemen of the committee, is sufficient for this item.

Mr. ROGERS. Mr. Chairman, I desire to oppose the amendment, and I earnestly hope it will be defeated.

I do not sympathize, on general principles, with the practice of carrying unexpended balances; but during the eight years

I have been on the Committee on Foreign Affairs, and I think the gentleman from Texas [Mr. CONNALLY] has been on the committee the same length of time—

Mr. CONNALLY. Four years.

Mr. ROGERS. This particular unexpended balance of appropriation has been carried without exception year after year. The amount of the unexpended balance that will be available on June 30 next is problematical, because you can not predict what emergencies will arise in the Diplomatic and Consular Service between now and the 30th day of June.

Let me suggest the sort of items that this appropriation is intended to care for. There have, within the last few weeks, come reports from many of the important emigration centers of Europe that wholesale passport frauds are being perpetrated by organized gangs of men who seek to counterfeit passports and our visés and our stamps, and so on, in order to enable immigrants who would not otherwise be permitted to come to the United States to get, by fraud, the apparent sanction of law.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Just in one moment. In order to ferret out those frauds and suppress them, as the welfare of this country certainly requires, it is necessary for the department to have a fund on which it can call in order to send forth agents, investigators—detectives, if you like—to go into cases of that kind and try to put a stop to the practice.

That is the sort of thing that is dealt with in this item. There are many others. But it strikes me that it is not at all wise to reduce the item below the figure which the committee recommends.

The gentleman from Texas [Mr. CONNALLY] was not quite accurate in his statement as to the amount which has been available in this particular fund in recent years. Going back to 1912 there was \$90,000 appropriated; in 1913, \$97,000; in 1914 it got down to \$75,000; and in 1915 it was placed at \$125,000; in 1916, at \$211,000; in 1917, \$310,000; in 1918, \$230,000; in 1919, \$722,000; in 1920, \$300,000; and for the current year, \$400,000. The Department of State asked for \$400,000 for the ensuing fiscal year. We thought they ought not to have that amount of money. At the same time we recognized that the problems which grew out of the administration of the fund have not ended, even though the war has ended, and that we ought to give a sufficient amount to protect the country in these important matters, which can not be segregated or specifically described or even foreseen in an appropriation bill.

Mr. CONNALLY. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. CONNALLY. Does the gentleman from Massachusetts, who is in charge of this bill, admit that he does not know how much the unexpended balance is?

Mr. ROGERS. No one can tell what the unexpended balance will be next June 30.

Mr. CONNALLY. Has the gentleman any idea?

Mr. ROGERS. I have an idea that it may be from \$50,000 to \$75,000. But the emergencies have not yet arisen for which we may have occasion to utilize this item.

Mr. CONNALLY. I understand that the gentleman, who has prepared this bill, largely himself, brings in here a bill without knowing how much it appropriates.

Mr. ROGERS. The gentleman, I know, does not mean to be unfair. How can an unexpended balance for the fiscal year ending June 30, 1921, be stated, or rather prophesied, with confidence in January, 1921?

Mr. CONNALLY. Does the gentleman know what the present unexpended balance is?

Mr. ROGERS. Yes. The approximate present unexpended balance I can give the gentleman. There was between \$300,000 and \$400,000 unexpended on January 1. There was available on July 1 \$644,000, and \$264,000 has been expended since that time.

Mr. CONNALLY. Why does not the gentleman strike out the unexpended balance, and simply make an appropriation of a sum sufficient for this service, without keeping the House and the country in the dark as to how much we are appropriating in this bill?

Mr. ROGERS. I think there is no objection to that. There is much to be said in its favor. But the Committee on Appropriations this year has simply been following the practice which the gentleman from Texas has subscribed to, apparently, during a period of several years.

Mr. CONNALLY. I would say to the gentleman that that is not exactly a fair statement of the facts.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was rejected.

Mr. BEGG. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

Mr. McCLINTIC. Mr. Chairman, there are only about 50 Members present. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise, and on that motion I ask for tellers.

The CHAIRMAN. The gentleman from Massachusetts moves that the committee do now rise, and on that motion he demands tellers.

Tellers were ordered; and the Chairman appointed Mr. ROGERS and Mr. McCLINTIC to act as tellers.

The committee divided; and the tellers reported—ayes 3, noes 98.

The CHAIRMAN (Mr. TOWNER). On this vote the ayes are 3 and the noes are 98. A quorum is present. The motion to rise is lost. The Clerk will read.

Mr. BEGG. Mr. Chairman, I would like to say to the House that I think there is no question but that this item is subject to a point of order. But I think there are good reasons why there should be an emergency fund of a certain amount, and hence I have refrained from making a point of order against it. But I want to call the attention of the committee to the fact that this item of \$200,000, instead of \$75,000 or \$90,000 or \$100,000, is being appropriated on the sole evidence of the Assistant Secretary of State, Mr. Davis, who said, "No, sir" to a question by the gentleman from Massachusetts when he said, "Of course you could not get along with any less?" Mr. Davis said "No, sir," and of course then they gave him the whole amount. I call the attention of the House to the fact that last year the Department of State said they could not function without \$700,000. Finally, because there was a weapon of a point of order that could be used, they received \$400,000, and they did function, and the distinguished chairman of this committee, Mr. ROGERS, says that they are liable to have from \$75,000 to \$100,000 left. Now, I am only offering this amendment to see if it is possible to get an item reduced when the chairman of the committee wants to have it put in, when there is not a single word of evidence in the testimony to justify it.

Mr. ROGERS. Will the gentleman yield?

Mr. BEGG. I will be glad to let the gentleman have an opportunity to reply in his own time.

Mr. ROGERS. Just on a question of fact. Did I understand the gentleman to say that the committee recommended in the bill what the department asked?

Mr. BEGG. No; I did not say that.

Mr. ROGERS. Because we cut it from \$400,000 to \$200,000.

Mr. BEGG. I did not mean to say you had given them all they asked. In reply to your question they said they could not get along without \$400,000, and you arbitrarily gave them \$200,000. Last year they said they required \$700,000, and they received \$400,000, and they got along and will have \$100,000 left. Now, what are the emergencies that will arise? Why, no man in this House knows, and I claim it is a temptation for corruption; if it is not actually so and has not been in the past there is a great likelihood of it being developed when \$200,000, \$300,000, or \$400,000 can be spent for which the Members of Congress can not see the vouchers. I say to you that as a member of the Foreign Affairs Committee I asked to see the vouchers and was denied. I do not intend to vote for appropriations that nobody knows anything about.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. BEGG. I will not yield. I know that a subcommittee of the Foreign Affairs Committee was appointed, consisting of three members, and I know they went down there, and I know they can not tell where the money went. They saw only a part of it, and if this country knows that we are appropriating sums of money like this in time of peace they will not approve it. I would not oppose a proposition of this kind in time of war. I would give them \$1,000,000 or \$1,000,000,000 if they needed it, but in time of peace there are no emergencies arising that can not be handled by this body calling for the expenditure of \$200,000 if you are playing fair with the people and with the other countries.

Now, the fact is that Secretary of State Lansing halfway admitted that they used this money to send secret agents over to Europe during the very time that President Wilson was advocating and trying to put across the proposition of open covenants openly arrived at. During that very time he wanted a special fund of \$700,000. I know that Mr. Harding does not want any great sum of money for emergencies. He has been in Congress, and he knows that if an emergency threatens this country he

can get all the money he wants, and get it without any delay. As far as being swamped with passports is concerned, that is mere talk to get this fund increased; and I want to say to the gentleman that if the next appropriation bill brings in an item like this I will make a point of order against it. I did not do it this time. I had the right and unquestionably could have made it stick, but I did not do it; but I want to see if it is possible to reduce an appropriation that three men asked for on no testimony whatever except the statement of a man in official life. There is not a line of reason, and I defy any man in this body to go to the State Department and justify the expenditure of even \$100,000.

Mr. BLANTON. Mr. Chairman, I rise in opposition to the gentleman's amendment. The gentleman from Ohio [Mr. BEGG] admitted that he had been spanked from the floor of the House by his majority leader. Under such whip and spur I am afraid his little protesting flurry that he has made here is going to put him in the position of being guilty of lese majeste. However, I am not in his situation. I am a kind of a free lance, and I am not afraid of being so scolded.

The gentleman said that the purpose of his amendment was to see if there was a chance ever in this House to cut down a committee appropriation. I want to tell him that there is not by vote. I have tried it before. There is only one way to cut, and that is by point of order. Now, if it were to put something in the bill, there would be ample opportunity for him to be successful. If he sought to enlarge it or to put a new item in it he would have a fine chance of success; because he will remember that in the last bill under consideration, the Agriculture appropriation bill, there was an item of \$360,000 for garden seeds put back in the bill after we had voted it out by a vote of the House. After sleeping on it overnight and trading around among the Members, after they had made trades, \$360,000 garden seeds for \$1,000,000 mountain tops, they came in the next morning and defeated the proposition to save that money and voted it back into the bill, and the fellows who got their garden seeds turned around with the mountain-top fellows and voted \$1,000,000 for mountain tops back into the bill, which had theretofore been knocked out on my point of order. But I will tell you, I know how the gentleman from Ohio feels. He feels like he is not getting anywhere in trying to save the money for the people, because, whether the committee of five Members that framed the bill are right or wrong, their judgment being based upon just such flimsy testimony as the gentleman has shown here for this item, it is impossible for the other 430 Members of Congress to change the decision of the committee. Not that the committee know any more about it than we do, because they do not, but just because it is the action of the committee you have got to stand by the committee, and that is the way the people's money goes.

Mr. CARTER. Mr. Chairman, I move to strike out the last word.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all debate on this paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. CARTER. Mr. Chairman, in my opinion, so long as Congress continues to do business and to do so intelligently, the House and the Committee of the Whole must necessarily rely to a large extent upon the judgment of the gentlemen on both sides of the House having the bill in charge who are members of the committee reporting the bill. Therefore I find no fault with the majority side of the House on that account as I did not when the majority was on the other side of the Chamber for relying on their committees in the absence of some direct information which would lead them to do otherwise.

But I do want to add just a word with reference to the method of appropriating money that is now employed by the House, as compared to that in former days. The gentleman from North Carolina has very aptly said that the mere fact of concentrating appropriations in one committee is no part of a budget system, and in my opinion it is not a necessary part of any plan for economy. There is a plan which I presume practically every Member of the House has given more or less consideration to, therefore I call attention to it, not because it is something new but because I believe it will properly and effectively limit and hold down appropriations. Let us have a real budget committee, with authority to limit the amount any committee may appropriate in any appropriation bill, and that will be a step toward real economy, which while actually limiting appropriations will not limit or curtail the rights and privileges of individual Members.



Mr. CONNALLY. Will the gentleman yield?

Mr. CARTER. Yes.

Mr. CONNALLY. Suppose the committee is allotted \$10,000,000 and brings in a bill amounting to \$10,000,000, could the Members on the floor add to it?

Mr. CARTER. The Members on the floor can add to it by cutting off other amounts that they think is unnecessary in the bill. But it would make any amount over and above the amount limited by this budget committee subject to a point of order, the same as if it was not authorized by law.

Mr. CONNALLY. Will the gentleman yield again?

Mr. CARTER. Yes.

Mr. CONNALLY. Suppose the amendment should be adopted; then in that legislative bill some item would have to be knocked out.

Mr. CARTER. I was discussing appropriation bills and not the legislative bills.

Mr. CONNALLY. Suppose the committee allotted \$10,000,000 and brings in a bill with a total amount of \$10,000,000—

Mr. CARTER. It would not necessarily have to do that. If it was doing its duty, the committee would not necessarily come in with the maximum allowed.

Mr. CONNALLY. They generally exceed the maximum.

Mr. CARTER. The gentleman is mistaken about that. Committees have not exceeded maximums in the past for the reason that there has been no limitation whatever. The committees have done fairly well in the past and are doing fairly well now. But what I want to emphasize is that the bills are passed upon by only five men or less, whereas under the past system they had consideration by committees of 21 members. When they come to the Appropriations Committee the bill is now referred to a subcommittee of five. Very often, I am sure, the bill is considered without a majority of the five being in the committee room, and some of them without past experience concerning matters under consideration. So that where in the past we had consideration by 21 men, who at least were supposed to have studied the question and be somewhat expert, you now have consideration by five, or less than five, some of them never having dealt with the items before. So the question that naturally arises is, are five men, some without previous experience, more competent to pass upon these items and recommend them to the House than 21 experienced men; and if so, why not 10 men more competent to run Congress than 435 men?

Mr. ANDERSON. Has it not been the practice under the old system of different committees to refer an appropriation bill to a subcommittee of five?

Mr. CARTER. In some committees it has and some it has not. Some committees have considered these bills by the whole committee only without reference to subcommittees, while others have first utilized the subcommittees, and still others have referred the bills to subcommittees, giving all members of the committees the privilege of serving on the subcommittee, but whatever method may have prevailed with reference to that the bill was always given careful detail consideration by the entire committee of 21 members before presented to the House. The present procedure, as I understand, is that the bill is reported by the subcommittee, an explanation made by the chairman of the subcommittee, whereupon the bill is reported by the Committee on Appropriations without even reading the bill. So it must be conceded that there is no real consideration by the real Appropriations Committee consisting of 35 members, such as was given these matters by former committees of 21 members.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. BEGG) there were 11 ayes and 17 noes.

So the amendment was rejected.

The Clerk read as follows:

ALLOWANCE TO WIDOWS OR HEIRS OF DIPLOMATIC OR CONSULAR OFFICERS WHO DIED ABROAD.

Payment under the provisions of section 1749 of the Revised Statutes of the United States to the widows or heirs at law of diplomatic or consular officers of the United States dying in foreign countries in the discharge of their duties, \$2,500.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word. I do so for the purpose of making some observations with reference to the functioning of the great Appropriations Committee of the House, a section of which is presenting this bill to the House. I do this in no partisan spirit. I do not criticize the good purpose of the Appropriations Committee, nor do I question the ability of the gentleman from Massachusetts [Mr. ROGERS], who so ably, from every standpoint, is submitting this bill to the judgment of the House.

But the fact is that this bill has not been reported to the House by the Appropriations Committee upon the responsibility of the judgment of the several members of that committee, based upon detailed, mature consideration of its provisions by the membership of that committee. I question no one's motives nor the earnestness of effort on the part of the Appropriations Committee, but I do challenge the wisdom of the plan and assert the unworkableness of the plan. It is not humanly possible for the members of the Appropriations Committee to go into the details of these appropriation bills.

This plan, as the gentleman from South Carolina [Mr. SMALL] has just observed, is not necessary to the operation of the principle of the budget plan. This Appropriations Committee is composed of a larger number than any other committee heretofore exercising jurisdiction over matters of appropriations has ever had, but instead of the present plan of increasing the number of those who inquire into the details of legislative need for the expenditure of public money we have decreased their number.

It is perfectly evident that the members of the general Appropriations Committee can not acquire sufficient personal knowledge as to the details of the needs of all the various departments of the Government to have an independent judgment as to whether or not the particular items of appropriation should be incorporated in the appropriation bills for these departments. Besides, Mr. Chairman, there is such an intimate relationship between the work of the departments, their general legislative needs, and their money requirements that they can not be dealt with by separate committees without duplication of committee work and, in a most definite degree, without duplication of legislative consideration. Whether a given thing should be undertaken so frequently depends upon what it will cost that the venture and the cost of the venture should be considered at the same time by a committee of specialists with regard to that department. And sometimes it is expedient for the Congress to consider them at the same time. I know this suggestion is in conflict with the general idea that legislation should not be on appropriation bills, but there is a definite advantage in preserving the legislative possibility of putting some incidental and emergency legislation upon appropriation bills, reserving, as now, to each Member of the House the right to strike it from the bill upon a point of order. But with the legislative committees and the Appropriations Committee in conflict as to jurisdiction that advantage will be lost.

Now, what has happened? We find here in charge of this bill two or three members of the general Appropriations Committee. As a matter of fact, there is in charge of this bill one member, the gentleman from Massachusetts [Mr. ROGERS], a former member of the Committee on Foreign Affairs, the committee which formerly had jurisdiction over both the general legislation and over appropriations dealing with the Consular and Diplomatic Service. The same situation obtained with reference to the Agricultural appropriation bill recently passed by the House. In that case the gentleman from Minnesota [Mr. ANDERSON], formerly a member of the Agricultural Committee, was in charge.

It is perfectly evident that the Appropriations Committee, in order to function at all, has been compelled to draft Members who acquired the necessary knowledge while they served on these other committees of the House. What will be the situation when this knowledge which they acquired while serving on these other committees shall have become antiquated?

Not only is this bill not in charge of the Appropriations Committee as such, but there is nothing to justify the assumption that it has been reported to the House upon the responsibility of the independent judgment of the members of the Appropriations Committee, based upon detailed, independent knowledge of the several items in this appropriation bill.

I do not say this in criticism either of their purpose or ability. I am criticizing the plan. It is perfectly obvious that it is not humanly possible for these gentlemen, who constitute the general Appropriations Committee, to go into detailed inquiry with regard to the items in the bills which they report. The House must have committees and Members of the House must largely follow these committees and depend upon their knowledge acquired and upon their judgment. As between the two plans, it seems to me judgment should be based upon whether or not it is better to have an investigation conducted and a bill drawn by from three to five Members of the House or to have the investigation conducted by 21 Members of the House; whether it is better to have this little committee, which of necessity is in personal touch with from three to five constituencies in the Nation, possibly all from one section, or a committee in touch with 21 constituencies representing different sections; whether it is better that the committee which reports these appropriation

bills shall, each member of it, have full time and opportunity to familiarize himself with every detail of the legislation, or to have one committee reporting all the bills which, in the very nature of things, can not know as a committee whether or not the details which make up the appropriation items should or should not be incorporated in the bill.

When formerly this appropriation bill came from the Committee on Foreign Affairs it came from a committee that primarily had to do with only one department of the Government. It could specialize and did specialize, and because it could specialize and did specialize, and had full opportunity to know what it was recommending to the House, Members of the House, when they came to vote upon a proposition concerning which they could not themselves have detailed information, had the advantage of the judgment of 21 of their colleagues coming from every section of the country, who, at least, had had the opportunity to go into every phase of the matter touched by the proposed legislation.

The fact that the knowledge acquired by such a Member having to do only with one of the great departments of the Government, a Member who had a chance to specialize, has caused him to be placed in charge of this bill is highly persuasive.

A moment ago the distinguished gentleman from Massachusetts [Mr. ROGERS], in charge of the bill, yielded to the mild imputations of my colleague from Texas [Mr. CONNALLY] that he, the gentleman in charge of the bill, wrote it. I know of no better individual to write this bill than the distinguished gentleman from Massachusetts. I would follow his judgment as quickly as I would follow the judgment of any other gentleman in the House, but when a bill comes in here upon the floor of the House and I am asked to follow the judgment of the committee I want to know that the bill has been submitted to the collective judgment of a considerable group of gentlemen.

This plan has broken down because it is fundamentally impossible from the standpoint of the limitations upon what is humanly possible. There is no use trying to deceive ourselves about the matter. These bills which we are called upon to enact into law represent not the independent and, in detail, advised judgment of the committee which reports them but represents primarily the judgment of from three to five gentlemen of the House, and in the main represents, I believe, the judgment of that member of the Appropriations Committee given charge of the bill, who formerly served upon the committee which heretofore had committee jurisdiction over the legislative matters and many appropriations of the department being appropriated for. If one member formerly of that committee, by reason of his service on that Committee on Foreign Affairs, acquired knowledge which so permanently, as compared with his present committee colleagues, fitted him to draft and present this bill, why should the House not have the benefit of the judgment and the assistance of the other members of the Committee on Foreign Affairs in the drafting and presentation of this appropriation bill?

The CHAIRMAN. The time of the gentleman has expired.

Mr. CONNALLY and Mr. MADDEN rose.

Mr. CONNALLY. I rise against the amendment.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

Mr. GARD. Mr. Chairman, is it not the procedure of the committee that once the gentleman from Texas [Mr. CONNALLY] has been recognized, he is entitled to the floor?

The CHAIRMAN. That is true. The gentleman from Texas is recognized.

Mr. CONNALLY. Mr. Chairman, we have heard a great deal of criticism of the rule under which the House is now operating with reference to a Committee on Appropriations composed of 35 members. I was a member of an appropriating committee until this rule was adopted, but I am not one of those who are now undertaking to impede legislation by driving tacks in the tires and pouring water into the carburetor. I believe this House ought to give this system of one appropriating committee a trial and a fair chance. I submit that up to this time it has not had a fair opportunity to demonstrate its usefulness. The complaint is made that bills coming from the Appropriations Committee under the present system—and I am not a member of that committee—are not well considered, that they are considered only by a subcommittee; but, gentlemen of the House, whether they are considered by the whole committee or not, the responsibility is upon the whole committee when it approves

the findings of the subcommittee and brings the bill before this House.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. In a moment. I remember the remarks of the gentleman from Oklahoma, and I can not forget that he is a member of the important Committee on Indian Affairs, and was lately the chairman of that committee. I do not blame the gentleman from Oklahoma for feeling somewhat displeased at the fact that his committee has been deprived of the appropriating power, but in that connection I want to submit this general observation: In this House, as it is constituted and under its rules, selection to places on committees generally is controlled by the predilections and desires of gentlemen who are selected for the committees. For instance, a gentleman who lives in the West, where the Government has considerable public lands to be disposed of, frequently wants to get on the Committee on Public Lands; a gentleman who lives in Oklahoma, where the Indians are located, wants to get on the Committee on Indian Affairs.

A gentleman is selected on the Committee on Naval Affairs because he has predilection for the Navy. What is the result? The result soon is that they become "bugs" on the particular matter with which their committee deals. The naval committee soon grows into the belief that the Navy is the most important arm of the Government, and that we ought to have the greatest Navy in the world. The Member who gets on the Committee on Military Affairs, where he associates with Chiefs of Staff and Secretaries of War, soon gets of the opinion that the Army is the outstanding branch of this Government. I believe that this system of one appropriating committee is entitled to a fair trial, because, after all, the membership of this House in the Committee of the Whole House, which is the chief forum at last, has absolute control over the Appropriations Committee and can strike from the bill or add to the bill items under the rules of this House.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY. Yes.

Mr. CARTER. If the gentleman thinks that a responsibility distributed among 21 will make "bugs" of them, how much greater "bugs" will they become if you concentrate that responsibility in a subcommittee of five?

Mr. CONNALLY. I will say to the gentleman that that question is rather artfully put, but it will not bear examination. The fact is that his Committee on Indian Affairs submitted the appropriation bill to a subcommittee of five, and three of that five had the right to control the decision of the subcommittee. The work of that subcommittee was then reported to the Committee on Indian Affairs of 21. Why is the analogy not just the same in respect to the Appropriations Committee submitting the bill to a subcommittee of five and it then being O. K'd not by 21 but by a membership of the Committee on Appropriations of 35?

Mr. CARTER. I would like to answer the gentleman's question.

Mr. CONNALLY. I said that the gentleman's question did not bear examination.

Mr. CARTER. But the gentleman is asking why.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection?

Mr. CARTER. Mr. Chairman, reserving the right to object, I would like to ask the gentleman a question.

Mr. CONNALLY. I can not yield if I have only two minutes.

Mr. CARTER. The gentleman is not yielding out of the two minutes. I yielded to the gentleman every time.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CARTER. The gentleman wants to know the difference between a subcommittee of five on one of the old appropriating committees and a subcommittee of five on the new committee. It is just this: Under the old plan, as I explained a moment ago, the bill was brought in and every item was considered by the whole committee, whereas now the Committee on Appropriations does not consider any particular item in the bill.

Mr. CONNALLY. I will say to the gentleman that that will not bear examination, because if the 35 members of the Committee on Appropriations who are under oath as Members of this body and who are under an obligation to perform a certain duty as members of the committee, fail to examine these bills, then that is simply a breach of duty on the part of the



Appropriations Committee and does not go to the merits of the system at all.

Mr. CARTER. It will not be humanly possible.

Mr. CONNALLY. It does not go to the merits of the system to speak of subcommittees. Under the old system, instead of the subcommittee deciding this matter, very frequently it was the chairman of the particular committee who dominated and controlled the committee and the appropriations from that committee.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROGERS. Mr. Chairman, I move that debate on this paragraph close in eight minutes.

The CHAIRMAN. The gentleman from Massachusetts moves that all debate on this paragraph close in eight minutes.

The question was taken, and the Chair announced he was in doubt.

The committee again divided; and there were—ayes 38, noes 6.

So the motion was agreed to.

Mr. McCLINTIC. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise, and on that I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers [Mr. ROGERS and Mr. McCLINTIC] reported that there were—ayes 3, noes 83.

The CHAIRMAN. A quorum of the committee is not present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Andrews, Md.	Fisher	Linthicum	Riordan
Aswell	Flood	Little	Robinson, N. C.
Bakka	Gallagher	Loneragan	Rodenberg
Bacharach	Gallivan	Lusk	Rose
Baer	Gandy	McCulloch	Rowan
Bell	Ganly	McFadden	Rube
Benson	Glynn	McGlennon	Rucker
Blackmon	Godwin, N. C.	McKenzie	Sabath
Bland, Ind.	Goldfogle	McKinley	Sanders, Ind.
Bland, Mo.	Good	McKinley	Sanders, N. Y.
Bowers	Goodall	McLane	Sanford
Brinson	Goodwin, Ark.	McLaughlin, Mich.	Schall
Britten	Goodykoontz	McLaughlin, Nebr.	Scully
Brumbaugh	Gould	MacGregor	Siegel
Butler	Graham, Pa.	Maher	Sims
Byrnes, S. C.	Greene, Vt.	Major	Sisson
Byrns, Tenn.	Griest	Mann, S. C.	Slemp
Caldwell	Griffin	Mead	Smith, Mich.
Campbell, Pa.	Hamill	Merritt	Smith, N. Y.
Candler	Hardy, Colo.	Milligan	Snell
Cantrill	Harrell	Montague	Snyder
Caraway	Harrison	Moon	Steele
Carew	Haugen	Mooney	Steenerson
Casey	Hayden	Moore, Ind.	Stephens, Miss.
Clark, Fla.	Hill	Mott	Stines
Classon	Hoe	Mudd	Sullivan
Cooper	Holland	Murphy	Sweet
Copley	Hulings	Neely	Tague
Costello	Hull, Tenn.	Nelson, Wis.	Taylor, Ark.
Crowther	Humphreys	Nicholls	Tincher
Cullen	Hutchinson	Nolan	Tinkham
Currie, Mich.	Jacoway	O'Connell	Treadway
Dempsey	James, Mich.	Olney	Upshaw
Dent	James, Va.	Parker	Vaile
Dewalt	Johnson, Ky.	Patterson	Vare
Dominick	Johnson, Miss.	Pell	Voigt
Donovan	Johnston, N. Y.	Perlman	Volk
Dooling	Kahn	Purnell	Ward
Drewry	Kelley, Mich.	Radcliffe	Whaley
Dupré	Kennedy, Iowa	Rainey, Ala.	Wilson, Ill.
Eagle	Kennedy, R. I.	Rainey, Henry T.	Wise
Edmonds	Kettner	Rainey, John W.	Wood, Ind.
Elliott	Kincheloe	Ramsey	Wright
Emerson	Kitchin	Ramsayer	Yates
Evans, Nev.	Kreider	Ransley	Young, Tex.
Ferris	Langley	Reed, W. Va.	
Fess	Lee, Ga.	Riddick	
Fish	Leshner		

The committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15872, finding itself without a quorum, under the rules he directed the roll to be called. Thereupon 233 Members responded to their names, a quorum, and he reported the list of absentees to be entered upon the Journal.

The SPEAKER. The committee will resume its session.

Mr. MADDEN. Mr. Chairman, a few moments ago the gentleman from Texas [Mr. SUMNERS] made the statement that no responsible action on any of these appropriation bills was taken by the full Committee on Appropriations. He also said that the full committee to whom the subcommittee reports was not in possession of any information on the subjects reported to it, and in addition to that he said that the system has broken down. I deny each of those statements categorically. First, the Committee on Appropriations does as a whole act upon

its own responsibility on every bill that comes to this House from the committee. Second, every member of the Committee on Appropriations has knowledge of the facts contained in the reports made by the subcommittee.

Mr. WILLIAMS. Will the gentleman yield for a question?

Mr. MADDEN. I can not yield now. I deny that the system has broken down.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. MADDEN. I decline to yield at present. Of course we all realize, Mr. Chairman and gentlemen, that the House is responsible for the final action on every appropriation bill. Nobody denies the right of any Member of the House to offer an amendment or to make points of order. The rules of the House are the same under the present system in respect to the question of legislation on appropriation bills as they were before the system was adopted. There has been no change whatever. I deny that except in a very few instances where it seemed to be essential to the administration of the fund to be appropriated that any legislation has been carried on any of these appropriation bills. I want to call the attention of the committee to the fact that these bills are in the language carried in most instances for years, and that there was no objection whatever to the language until it seemed to some Members of the House that one committee of the House had been given power more than they thought they should have.

Mr. CONNALLY. Will the gentleman yield?

Mr. MADDEN. I will yield in a short time. There is not a member of the Committee on Appropriations, so far as I know, who wants to arrogate to himself any power except the power to function with which he is charged by reason of his appointment. Of course I realize, everybody realizes, that we have not entered upon a budget system complete. Everybody knows that we can not do that until the executive branch of the Government is charged with the responsibility of reporting a budget and, pending that, the Committee on Appropriations has done its best to carry out the will of the House. How well have they done it? On the sundry civil appropriation bill, which was passed a short time ago, we reported \$402,000,000 less than the estimates of the department. On the Army bill just reported, we come here with \$369,000,000 less—

Mr. WILLIAMS. Will the gentleman yield there?

Mr. MADDEN. I will.

Mr. WILLIAMS. Did not we reduce the estimates more than that on each of the bills a year ago when the other system was working?

Mr. MADDEN. We reduced it because the estimates were larger then than now. To say that the committee is not functioning, that it takes no responsible action, is to state what is not the fact.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. MADDEN. I will.

Mr. SUMNERS of Texas. If it would not be an impertinent inquiry, I would like to ask the gentleman how much consideration to this particular bill did the whole Committee on Appropriations give?

Mr. MADDEN. This particular bill had the consideration for about two hours by the whole committee, and it, I want to say to the gentleman, struck several items from the bill as it was reported by the subcommittee. Now, I decline to yield further. I will yield to the gentleman from Texas.

Mr. CONNALLY. The gentleman from Illinois knows that I am in sympathy with this plan?

Mr. MADDEN. Certainly.

Mr. CONNALLY. The gentleman from Illinois is a member of the Appropriations Committee of 35, and also a member of the majority steering committee. Will the gentleman give the House any assurance that the various legislative committees are now preparing authorizations for submission to the next Congress, and if they intend to do anything along that line, so that we will not have this unnecessary delay?

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. I can only say in respect to the inquiry that in the consideration of the appropriation bill for the Post Office Department by the subcommittee on which I served we developed a great deal of what we thought was necessary legislation that should be enacted. When we completed the preparation of the appropriation bill we prepared a bill which embodied the legislation. We sent that to the Committee on the Post Office and Post Roads. That committee took part of that legislation and put it into a bill of their own and added other legislation to

it, and the bill is now on the Calendar of the House. If every one of these other legislative committees would do the same thing there would be no reason for any complaint. There is no reason now for any complaint. There never has been a time in the history of this House when such progress has been made on appropriation bills. There never has been a session in the history of my long experience here when we have made as rapid progress. There never has been a time when we have been going to the extent to economize that we have recently, and there never was a time when economy was more needed than now.

Mr. BLANTON. Will the gentleman yield?

Mr. MADDEN. I decline to yield just now. I have a few things I desire to say.

We hope in a day or two to report the naval bill, and we hope to be able to say to the House that we have saved \$300,000,000 over the estimates. We passed the legislative bill, and we have provided for 12,500 less places in the legislative bill than were estimated for.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I want to know whom the distinguished committee chairman is chastising?

Mr. MADDEN. The gentleman has no right to make a point of order like that.

This bill carries \$1,500,000 less than the bill of last year, and gentlemen have been opposed to every line in the bill. If we have no legislative authority for the language in the bill, there never has been legislative authority in the history of the Government for the appropriations sought to be made here, for we carry the exact language in most cases that has been carried for many, many years. It is true that much of this language was never legislated into law, and hence, technically speaking, it may be subject to a point of order, but every gentleman here must realize that the Government must function. Both parties, Democratic and Republican, nationally are pledged to the budget system, and the budget system is demanded by the American people. And the Congress of the United States will not speak the will of the American people unless they adhere to the budget system.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

TRANSPORTING REMAINS OF DIPLOMATIC AND CONSULAR OFFICERS, CONSULAR ASSISTANTS, AND CLERKS TO THEIR HOMES FOR INTERMENT.

For defraying the expenses of transporting the remains of diplomatic and consular officers of the United States, including consular assistants, and clerks, who have died or may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country for interment, and for the ordinary and necessary expenses of such interment, at their post or at home, \$5,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the following portion, which is unauthorized by law in legislation on an appropriation bill, to wit: In line 20, the words "and clerks," and in line 24, the words "and clerks," there being no authority of law for it.

Mr. ROGERS. Mr. Chairman, as the point of order pertains to those items only, I am willing to concede it.

The CHAIRMAN. The point of order is sustained.

Mr. ROGERS. Mr. Chairman, I ask for recognition.

We have been engaged in the consideration of this bill for three days. In the past the bill has taken one day. In the last three hours we have read about four or five pages. Most of the three hours has been given up to a discussion of the merits and demerits of the budget system. I have not interposed a point of order to the effect that the discussion was proceeding out of order, because I knew that the matter was of interest to the gentlemen, and as the subject had been broached it seemed to be fair that the advocates and opponents should have liberal opportunity to discuss the question. But I think it is of consequence—and I think the House will agree that it is of consequence—that we make as much progress as we properly can with these appropriation bills. I believe we can without the slightest difficulty, if we adhere to the subject matter of the bill itself, complete the consideration of this bill and pass it this afternoon.

I do not wish to be discourteous to any gentleman. I do not wish to cut off fair discussion. But I desire to state at this time, and when, so far as I know, there is no gentleman that intends to discuss the budget system further, that I shall feel it my duty in the interest of expediting legislation to make a point of order on any further discussion which is not pertinent to the subject matter of the bill before the committee.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL BUREAU OF WEIGHTS AND MEASURES.

Contribution to the maintenance of the International Bureau of Weights and Measures, in conformity with the terms of the convention of May 20, 1875, the same to be paid, under the direction of the Secretary of State, to said bureau on its certificate of apportionment, \$2,895.

Mr. BLANTON. Mr. Chairman, I reserve a point of order, in order to get some information.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the paragraph.

Mr. BLANTON. Mr. Chairman, may I ask the gentleman in charge of the bill what authority of law there is for appropriating this \$2,895 every year that goes into this bill?

Mr. ROGERS. This is based upon a treaty obligation, and, as the gentleman well knows, treaty authority has the force of law.

Mr. BLANTON. Yes, I know; but does the treaty call for this expenditure?

Mr. ROGERS. The treaty in question is the treaty of May 20, 1875. Article 9 of the treaty reads as follows:

The entire expense of the construction and outfit of the International Bureau of Weights and Measures, together with the annual cost of its maintenance and the expenses of the committee, shall be defrayed by contributions from the contracting States, the amount of which shall be computed in proportion to the actual population of each.

Mr. BLANTON. Yes; I knew it was a treaty provision. But the point I am getting at is this: Is this the computed part that we have to pay every year, and is it so used every year?

Mr. ROGERS. It has been utilized every year, so far as I am advised.

Mr. BLANTON. And the gentleman thinks there is a necessity for still carrying it on?

Mr. ROGERS. As I conceive it, the good faith of the Nation is pledged until the treaty is denounced.

Mr. BLANTON. Yes. It is computed that we owe this each year?

Mr. ROGERS. Yes; it is computed that we owe this each year. This organization is a going concern.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The gentleman from Texas withdraws the reservation.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last two words for the purpose of asking a brief question.

The CHAIRMAN. The gentleman from Texas moves to strike out the last two words.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman in charge of the bill tell us, very briefly, what they are doing with this money? I do not want to take up much time, but can the gentleman just indicate briefly what results are coming from it?

Mr. ROGERS. This international organization was created, as the item itself shows, as the result of a treaty proclaimed in 1875.

Mr. SUMNERS of Texas. I know that. What are they doing with the money, and what are they getting for it?

Mr. ROGERS. The international bureau is maintained at Sevres, France. That international bureau is charged with the duty under the treaty of standardizing and distributing information concerning the weights and measures of the world.

Mr. SUMNERS of Texas. Yes. What are they doing with it? I have been going around here for a good many years, and I have not seen any results from it.

Mr. ROGERS. We pay \$2,895 for the maintenance of it, and that is our pro rata share. It standardizes weights and measures, as far as it can, and distributes information concerning them throughout the world.

Mr. SUMNERS of Texas. What standards has it established? I am afraid I am displaying a good deal of ignorance, which other gentlemen would confess if they were frank. [Laughter.]

Mr. ROGERS. I will read for the benefit of the gentleman a statement of explanation which has been prepared by the Department of State.

Mr. SUMNERS of Texas. No; I will read it myself.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

TARIFFS.

To meet the share of the United States in the annual expense for the year ending March 31, 1922, of sustaining the international bureau at Brussels for the translation and publication of customs tariffs, pursuant to the convention proclaimed December 17, 1890, \$8,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order in order to ask a question.

The CHAIRMAN. The gentleman from Texas reserves a point of order on the paragraph.



Mr. BLANTON. I would like to ask the chairman why it is necessary to raise this item from \$1,500, as it was in 1917, in normal conditions, to \$6,000?

Mr. ROGERS. The reason that was given was that the bureau, the office of which is at Brussels, found itself unable to perform the duties that were confided to it by the treaty at the old quota rate, and therefore, in accordance with the terms of the treaty, they quadrupled the contribution of the contributing members. The salaries have very greatly increased, as was quite natural, and rentals have gone up.

Mr. BLANTON. And all other parties to that treaty have had their share quadrupled?

Mr. ROGERS. Yes; all other parties to that treaty have had their share quadrupled.

Mr. BLANTON. Mr. Chairman, I withdraw the reservation.

The CHAIRMAN. The reservation is withdrawn. The Clerk will read.

The Clerk read as follows:

INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO.

To enable the President to perform the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906, between the United States and Mexico, including not to exceed \$600 for rent, \$5,000.

Mr. HICKS, Mr. HUDSPETH, and Mr. BARKLEY rose.

Mr. HUDSPETH. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from New York [Mr. HICKS] is recognized.

Mr. HICKS. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman in charge of the bill a question.

I have looked through this bill and endeavored to ascertain if there is any proviso in here in any place by which we pay under this bill any part of the expense of the ice patrol in the North Atlantic Ocean. As the gentleman probably knows, we entered into an agreement with some of the more important maritime nations of the world some 10 or 12 years ago by which a patrol is maintained in the North Atlantic for protection from icebergs that come down from the Arctic Ocean. That work is now being done by the United States Coast Guard, and, I suppose, inasmuch as we do not make an appropriation in this bill, that the expense of that service must be maintained by the Coast Guard, and that the receipts come into the Treasury and the entire expense is outside of the purview of this bill?

Mr. ROGERS. I can answer the gentleman by saying that in the last eight years, at least, there has never been an item inserted or requested, so far as the Diplomatic and Consular bill is concerned.

Mr. HICKS. Therefore it must be assumed that the entire expense of that service comes from the appropriation for the Coast Guard?

The CHAIRMAN. The Chair will recognize the gentleman from Kentucky [Mr. BARKLEY].

Mr. BARKLEY. I will yield to the gentleman from Texas [Mr. HUDSPETH] if he desires to offer an amendment.

Mr. HUDSPETH. I do. It is to strike out, on page 10, line 23, "\$5,000" and insert "\$10,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. HUDSPETH: Page 10, line 23, strike out "\$5,000" and insert in lieu thereof "\$10,000."

Mr. HUDSPETH. Mr. Chairman, I have not offered this amendment for the purpose of making a speech, but I take it that there is not a member of this committee that wants the Republic of Mexico to gain one foot of territory in the United States unless they get it legally. I had hoped to convince my friend from Massachusetts [Mr. ROGERS] of the necessity of this appropriation being at least \$10,000 in order that the Boundary Commission of the United States might continue to function. If you make the appropriation \$5,000, it absolutely destroys the work of the Boundary Commission of this Government. I do not believe you gentlemen want to do that.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. HUDSPETH. Certainly.

Mr. BARKLEY. I would like to know, as a matter of information, what function this Boundary Commission performs between Mexico and the United States?

Mr. HUDSPETH. I will tell the gentleman, if he will just bear with me a moment. The Rio Grande changes its course almost every year. It runs in many places through an alluvial valley, where it changes its channel by avulsion sometimes to the north, sometimes to the south.

Now, I will state to my friend from Kentucky that the boundary commission of Mexico is always on the job, and when this river changes its course that commission immediately makes its survey. Then if our commission is not there to make a sur-

vey and get the field notes which show where the change has taken place, it may be 8 or 10 years before we make a survey; if you destroy the Boundary Commission, it probably will be that long; and then if a question comes up as to where the boundary line between the United States and Mexico is the Mexicans, with the significant shrug of the shoulders so customary among themselves, would say, "You were not here when the survey was made, otherwise you would probably have agreed to the survey that we made," and then they would proceed to claim the territory of the United States.

Mr. BARKLEY. How much is involved in the changes of boundary in that river?

Mr. HUDSPETH. It might be hundreds of acres. I will say that one-third of the city of El Paso, my home, a city of 100,000 population, is involved to-day in what is known as the Chamizal Zone controversy with Mexico by reason of the change of the river.

Mr. MILLER. How many governments of Mexico are there participating in this service?

Mr. HUDSPETH. They have a boundary commission that officiates for whatever government there may be in operation there. I guess my friend knows that the governments of Mexico sometimes changes overnight.

Mr. MILLER. That is what I was asking about.

Mr. HUDSPETH. Men have gotten hoarse whooping it up for one government one day and awake to find that another government confronts them in the morning.

Mr. MILLER. Does each one of those governments make a survey?

Mr. HUDSPETH. Yes.

Mr. MILLER. Then they must have a new survey every day.

Mr. HUDSPETH. It is not quite as bad as that; but they have acquired territory which properly belonged to the United States, by reason of the fact that the Mexican commission made the survey and our commission was not there to make its survey. Now, I say to you gentlemen, that my colleague [Mr. GARNER] and myself represent the border of Texas, between Texas and Mexico. He is familiar with the changes of this river, and I say to you gentlemen that I am talking to Americans now, not to Republicans or Democrats, and I do not believe there is a man on this floor who wants Mexico to get a foot of this soil that does not belong to her. It may be so poor that you can not raise an umbrella on it, but we are Americans, and we want that soil. We want the territory that belongs to the American Government to remain on this side. Now, many thousands of dollars might be lost if you destroyed this boundary commission.

Mr. WALSH. Do I understand the gentleman from Texas to say that surveys have been made when our commission was not present?

Mr. HUDSPETH. Yes.

Mr. WALSH. What was our commission doing?

Mr. HUDSPETH. Our commission was not doing anything. It did not have enough money to do anything.

Mr. GARNER. I happened to be a member of the Committee on Foreign Affairs when this matter was examined under Secretary Root and Secretary Knox and Secretary Bryan. If you will examine the hearings before the Foreign Affairs Committee, you will see that committee went into the matter very thoroughly as to the necessity for this Boundary Commission. Secretary Root asked for \$40,000 to conduct the affairs of the Boundary Commission. We interrogated him with reference to cutting down the appropriation or eliminating it entirely, and his reply was that if you eliminated the commission it would probably cost the Government \$100,000 each year to function and do the duties that are now incumbent upon the Boundary Commission. Secretary Knox reiterated that. Secretary Bryan did the same thing; and I want to say to the gentleman from Massachusetts [Mr. WALSH] and to my colleague from Texas [Mr. HUDSPETH] that in my judgment \$10,000 will not be sufficient.

Mr. HUDSPETH. I do not think so either.

Mr. GARNER. I do not think it will be sufficient to perform the duties of this commission. What they have been doing with the small sum that has been appropriated is a very necessary thing, a thing that will probably redound to the great benefit of this Government when it comes to settle with Mexico, and that is they are measuring the water that is running down the Rio Grande. Half of that water belongs to the United States and half of it belongs to Mexico. We are taking a great deal of it, and I imagine that some of these days, when we come to arrange a treaty with Mexico, Mexico is going to say, "Oh, you owe us these millions of dollars for the use of our water."

Mr. HUSTED. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. HUSTED. On account of the changes in the course of this river, does this commission have just as much work to do now as it had in Secretary Root's time, when he advocated an appropriation of \$40,000?

Mr. GARNER. There is not a particle of difference. Now, the surveys that my colleague refers to come about in this way: The Rio Grande River rises once or twice a year. A flood will come down and cut off a hundred acres that was in Texas and put it in Mexico, and vice versa it will cut off 300 acres that was in Mexico and put it in Texas. Now, there is no jurisdiction over the enforcement of law unless there is some official commission that can determine whose property that is. Under the treaty if you cut off more than 640 acres it becomes the property of the other Government.

The CHAIRMAN. The time of the gentleman from Texas [Mr. HUDSPETH] has expired.

Mr. GARNER. I ask unanimous consent that the time of my colleague [Mr. HUDSPETH] be extended five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that his colleague's time be extended five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. Will the gentleman yield? How many of these boundary commissioners are there?

Mr. GARNER. One.

Mr. LONGWORTH. At what salary?

Mr. GARNER. Five thousand dollars a year. Let me say to the gentleman from Ohio that Gen. Bliss was the boundary commissioner for a great number of years. After he left the office I am sorry to say that it came to be looked upon more as a political appointment than otherwise, and that has not been to my liking, if you will permit me to say so. But that this commission is necessary there is no doubt, and you will make a very great mistake, in my judgment, if you fail to provide for the proper functioning of this commission.

Mr. WALSH. Has this commission ever made any recommendation about establishing a fixed boundary line irrespective of the river?

Mr. GARNER. The boundary line is fixed in the treaty. The treaty was so drawn that when the boundary line changed by virtue of the change in the river, the commission must make the line.

Mr. WALSH. If they had recommended a boundary line that did not follow the course of the river—

Mr. GARNER. The boundary line is the center of the river, and when the river is here to-day, a week from to-day it is a mile and a half from that point. Who is going to tell whether this is the boundary or that is the boundary? Somebody must survey it and designate it.

Mr. LONGWORTH. Is it incumbent on the commissioners to travel the entire length of the boundary?

Mr. GARNER. Oh, they must travel at times up and down the river.

Mr. LONGWORTH. The reason I ask is that this seems to be a small appropriation.

Mr. GARNER. It is absolutely inefficient. It may be possible that the \$5,000 would be sufficient to measure the water. It is absolutely essential that the water should be measured. If we have a controversy with Mexico and we have not the information and they have, you can imagine where the commissioners will be left.

Mr. LONGWORTH. How long is the border?

Mr. GARNER. About 1,200 miles.

Mr. HICKS. How often does the commission report?

Mr. HUDSPETH. It is supposed to make an annual report. I am not going to quarrel with the gentlemen on the other side when they state the boundary commissioner is not doing anything. The engineer is the only man that is doing anything, so I am informed. We will have a chance to get a commissioner pretty soon who will do something, for you will make another appointment after the 4th of March.

Mr. BARKLEY. Who is the commissioner?

Mr. HUDSPETH. Louis D. Hill.

Mr. MANN of Illinois. Will the gentleman yield?

Mr. HUDSPETH. Certainly.

Mr. MANN of Illinois. Is it not a fact that when the Democratic administration came in the first procedure was to cut down the appropriation for this commission and make the appointments as purely a political job?

Mr. HUDSPETH. I do not know; I was not here.

Mr. MANN of Illinois. And they have never functioned since. The gentleman seeks relief because he thinks that the proper party is in possession of the Government and will do the right thing?

Mr. HUDSPETH. I ask that a sufficient appropriation be made to continue the commission in existence so that it will protect the property of the United States against any claim of Mexico. Last year the unexpended balance was \$20,522. This year you only appropriate \$5,000. No one, I think, who knows the gentleman, and knows what his work is and what he has done will question the fact that Mr. Corbin, consulting engineer, is an efficient man. He comes from Colorado from the district represented by Mr. HARDY.

Mr. MANN of Illinois. Is it not a fact that we had to pass a special bill the other day to pay two engineers who did the work on this commission because the appropriation was diverted by those in charge of it?

Mr. HUDSPETH. I do not recall.

Mr. MANN of Illinois. That is the fact.

Mr. HUDSPETH. I am not defending the commissioner, but after the 4th of March we will have a change.

Mr. MANN of Illinois. We do not need it for political purposes.

Mr. HUDSPETH. No; we do not need it for political purposes, but to protect the rights of this Government against Mexico. Do you want the Mexican Government to have a commission on the ground and make a survey when the river changes and we have no commission there?

Mr. MANN of Illinois. If the Mexican Government has a commission on the job it will be a new thing.

Mr. BEE. Will the gentleman yield?

Mr. HUDSPETH. Yes.

Mr. BEE. Is it not true that the controversy referred to by the gentleman from Illinois arose out of a difficulty with a man named John Wesley Gaines, predecessor to the gentleman from Tennessee [Mr. BYRNS]? He was the man that caused the controversy and led to the political discussion.

Mr. HUDSPETH. Possibly so, but why destroy the commission on account of some political question?

Mr. MANN of Illinois. John Wesley Gaines was a Member of this House, and it was his popularity that kept the appropriation in the bill for a number of years.

Mr. HUDSPETH. Mr. Chairman, I want to state to my friend that in 1857 the river ran right by the courthouse in El Paso. Afterwards it changed its course to the south at least a quarter or half a mile, and to-day one-third of the city of El Paso is involved in a controversy. If we had had a boundary commission on the ground at that time to make a survey that controversy probably would not have happened. I am talking horse sense to-day. I am not talking as a Democrat, but as an American. I do not care if this land was so steep that a billy goat could not climb it without spurs. It is American land and we want to retain it. [Applause.]

Mr. LONGWORTH. Is the commissioner appointed for a stated period?

Mr. HUDSPETH. I think he is subject to removal, at the will of the President.

Mr. ROGERS. Mr. Chairman, I think that, as conditions are to-day along the Mexican boundary, there is less practical justification for this item than for any other item in the bill. The only reason that the committee has recommended even \$5,000 this year is because there is a treaty obligation involved. We thought that the House and the Congress would not care to put it outside of the power of the Executive to keep alive the essentials of this organization to the extent required by the treaty.

This is no new viewpoint for the committee making up the Diplomatic and Consular appropriation bill or for the House of Representatives. In the bill reported last year by the gentleman from Pennsylvania [Mr. PORTER] for the Diplomatic and Consular appropriations for 1921 this was the item:

To enable the President to perform the obligations of the United States under the treaties of 1884, 1889, 1905, and 1906 between the United States and Mexico, \$5,000.

That item passed the House precisely as it was presented by the committee. I candidly admit that \$5,000 will not enable the commission to go very far, but it will enable the Executive to keep the commission alive so that if at a later date Mexico is able to take part in the boundary work, then we may get upon a really efficient footing again. As a matter of fact, the amendment offered by the gentleman from Texas [Mr. HUDSPETH] to increase the amount from \$5,000 to \$10,000 would accomplish nothing whatever along the line that he himself is seeking to accomplish. It would simply mean that much more for salaries. The Department of State asked for \$50,000 this year. If the House thinks that Mexico and the United States can profitably engage in a boundary settlement during the next fiscal year, the House should accept the \$50,000 estimate. A \$10,000 item



will be of no avail whatever. It will do no more than the \$5,000 will do. We made inquiries from the representative of the Department of State when we had our hearings upon the bill; that representative spoke of the fact that the Congress and the Department of State had lost confidence in this commission, and admitted an inability to discuss the need for the \$50,000, which was carried in the estimates. We felt as a committee that we were doing exceedingly well by the great State of Texas and were fully recognizing the obligations growing out of the treaties in relation to boundary disputes to keep the commission alive by appropriating \$5,000.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. HUDSPETH. The gentleman will not keep it alive by that amount. The consulting engineer draws \$4,800, and he does the work. I would say to the gentleman that my idea in offering this amendment increasing the amount from \$5,000 to \$10,000 was so that you could cut off the salary of the commissioner who does nothing and let the engineer make the survey and give him some expense money.

Mr. ROGERS. We are obligated by treaty to keep a force of water gaugers. The House thought last year, and I hope it will think this year, that \$5,000 is enough to care for the expenses of a few water gaugers.

Mr. GARNER. Then I take it the theory of the committee is that it does not intend to do otherwise than to keep a force of water gaugers there measuring the amount of water in the Rio Grande?

Mr. ROGERS. Our theory is to keep alive the commission only in so far as essential under the treaty.

Mr. GARNER. And you do not propose in 1922 to have any engineer who can survey a change in the river and give the information to your Government?

Mr. ROGERS. My theory is precisely the same as the theory of the House, as reflected in the Diplomatic and Consular appropriation bill of a year ago, which carried \$5,000.

Mr. GARNER. I understand that.

Mr. ROGERS. Conditions have not since changed or improved so as to warrant a substantial increase at this time.

Mr. GARNER. But the unexpended balance was appropriated last year.

Mr. ROGERS. Not in the House. It was put on in the Senate, and perhaps it will be put on again. But the House took the position that \$5,000 was the proper amount, and the Committee on Appropriations this year simply sought to reflect the view of the House of a year ago.

Mr. GARNER. Mr. Chairman, I want to say that in my humble judgment the gentleman and the House are making a great mistake when they fail to appropriate sufficient money for this Government to get the data upon which we can at any time make a settlement with Mexico as to the division of lands between the two countries.

Mr. ROGERS. If the commission is worth anything, it is worth \$50,000; and if it is not we ought not to grant more than the \$5,000 necessitated by the treaty obligation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. ROGERS) there were—ayes 45, noes 27.

So the amendment was agreed to.

Mr. McCLINTIC. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eight Members are present, a quorum. The Clerk will read.

The Clerk read as follows:

BOUNDARY LINE, ALASKA AND CANADA, AND THE UNITED STATES AND CANADA.

To enable the Secretary of State to mark the boundary and make the surveys incidental thereto between the Territory of Alaska and the Dominion of Canada, in conformity with the award of the Alaskan Boundary Tribunal and existing treaties, including employment at the seat of government of such surveyors, computers, draftsmen, and clerks as are necessary; and for the more effective demarcation and mapping, pursuant to the treaty of April 11, 1908, between the United States and Great Britain, of the land and water boundary line between the United States and the Dominion of Canada, as established under existing treaties, to be expended under the direction of the Secretary of State, including the salaries of the commissioner and the necessary engineers, surveyors, draftsmen, computers, and clerks in the field and at the seat of government, expense of printing and necessary traveling, for payment for timber necessarily cut in determining the boundary line not to exceed \$500, and commutation to members of the field force while on field duty or actual expenses not exceeding \$5 per day each, to be expended in accordance with regulations from time to time prescribed by the Secretary of State, \$36,500, together with the unexpended balances of previous appropriations for these objects: *Provided*, That hereafter advances of money under the appropriation "Boundary Line, Alaska and Canada, and the United States and Canada," may be made

to the commissioner on the part of the United States and by his authority to chiefs of parties, who shall give bond under such rules and regulations and in such sum as the Secretary of State may direct, and accounts arising under advances shall be rendered through and by the commissioner on the part of the United States to the Treasury Department as under advances heretofore made to chiefs of parties: *Provided*, That when the commissioner is absent from Washington and from his regular place of residence on official business he shall be allowed actual and necessary expenses of subsistence not in excess of \$8 per day.

Mr. BLANTON. Mr. Chairman, I make the point of order to the following portion of the paragraph, beginning in line 11, page 12, and reading as follows:

*Provided*, That when the commissioner is absent from Washington and from his regular place of residence on official business he shall be allowed actual and necessary expenses of subsistence not in excess of \$8 per day.

I make the point of order because it is unauthorized by law, and it is new legislation on an appropriation bill.

The CHAIRMAN. What has the gentleman from Massachusetts to say to the point of order?

Mr. ROGERS. Mr. Chairman, I supposed that to be a limitation in form and substance, and I think it is clearly in order.

Mr. BLANTON. May I ask the gentleman a question?

Mr. ROGERS. Yes.

Mr. BLANTON. Is it not a fact that all of the law with respect to allowance for subsistence has always been \$5 a day? And I call the Chairman's attention to the preceding page where a similar provision is for \$5 per day while on field of duty.

Mr. ROGERS. What may have been prescribed on previous pages has no bearing on the law.

Mr. BLANTON. Subsistence has never been placed over \$5 a day in any law.

Mr. CONNALLY. Mr. Chairman, I suggest to the Chair that this item is not subject to the point of order because the expenses of the commission, according to my understanding, are authorized by law. The object of this amendment was really to curtail expenses instead of increasing them. Heretofore this commissioner stayed at his home a great deal of the time, away from Washington, and he was in the habit, as I understand it, of charging up a per diem, and the committee limited this appropriation so that he could only charge those items when away from Washington on official business.

Mr. ROGERS. Mr. Chairman, the amendment concerning the regular place of residence was inserted upon the motion of the gentleman from Texas [Mr. CONNALLY], when this bill was before the House last year, and was held in order as a limitation.

Mr. CONNALLY. It is a limitation because it curtails expenditures.

The CHAIRMAN. The Chair is ready to rule. The Chair thinks this is a limitation, and, as such, is within the Holman rule, and overrules the point of order. The Clerk will read.

Mr. MANN of Illinois. Mr. Chairman, I do not question the decision of the Chair, but just so it will not go without anybody giving attention to it I desire to say that there is a general law forbidding the payment of more than \$4 or \$5 a day for subsistence unless expressly authorized by the appropriation, passed only a few years ago.

The CHAIRMAN. The effect of that law, the Chair will state to the gentleman from Illinois, is a law which operates when there is no other provision made.

Mr. MANN of Illinois. It is a law which operates unless legislation changes it—

Mr. BLANTON. Mr. Chairman, in view of that—

Mr. BANKHEAD. Mr. Chairman, I ask for the regular order.

Mr. MANN of Illinois. I have no objection—

Mr. BANKHEAD. I ask for the regular order.

Mr. BLANTON. It is a matter that is directed to the attention of the Chair a moment, and I would like to make a suggestion.

Mr. BANKHEAD and several Members. Regular order!

The CHAIRMAN. The Chair believes the decision is right in regard to this case, notwithstanding the suggestion made by the gentleman from Illinois, and the Clerk will read.

The Clerk read as follows:

INTERNATIONAL BUREAU AT BRUSSELS FOR REPRESSION OF THE AFRICAN SLAVE TRADE.

To meet the share of the United States in the expenses of the special bureau created by article 82 of the general act concluded at Brussels July 2, 1890, for the repression of the African slave trade and the restriction of the importation into and sale in a certain defined zone of the African Continent, of firearms, ammunition, and spirituous liquors, for the year 1922, \$125.

Mr. BEE. Mr. Chairman, I move to strike out the last word. Will the gentleman from Massachusetts yield?

Mr. ROGERS. Certainly.

Mr. BEE. I would like to ask for some information in regard to the repression of the African slave trade calling for an appro-

priation of \$125 and why \$125 is appropriated for the repression of the African slave trade? We had some difficulty over \$5,000 for the commission for the Rio Grande and here is an appropriation of \$125 to help the nations of the world keep down the African slave trade and in shipping munitions and liquor into Africa.

Mr. ROGERS. This is a treaty obligation dating from 1890. The bureau has one office at Zanzibar and one at Brussels. All the civilized countries of the globe cooperate in keeping the bureau alive and the organization in existence.

Mr. BEE. Well, are they still having an African slave trade in Africa?

Mr. ROGERS. There is still slave trading in Africa, I believe. The principal utility of the bureau to-day, however, is in connection with the regulation of the liquor traffic in Africa.

Mr. BEE. Well, it occurred to me that it was an item that either ought to cost something or cost nothing. What would \$125 do to keep down these African slave traders?

Mr. ROGERS. That is the amount prescribed by the treaty.

Mr. BEE. Did they all agree to give \$125 for that purpose?

Mr. ROGERS. The other nations give the same amount.

Mr. BEE. And, of course, we are carrying our share of the load?

Mr. ROGERS. Yes.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

#### INTERNATIONAL PRISON COMMISSION.

For subscription of the United States as an adhering member of the International Prison Commission, and the expenses of a commission, including preparation of reports, \$2,550.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is unauthorized by law on an appropriation bill and is legislation unauthorized.

The CHAIRMAN. The gentleman from Massachusetts.

Mr. ROGERS. Mr. Chairman, the Diplomatic and Consular act for the fiscal year 1913 contains the following paragraphs:

The United States shall continue as an adhering member of the International Prison Commission and participate in the work of said commission.

We have been appropriating since that time.

Mr. BLANTON. Will the gentleman yield?

Mr. ROGERS. Yes.

Mr. BLANTON. That is merely a provision on an appropriation act; it is not substantive law.

Mr. ROGERS. "The United States shall continue as an adhering member." I contend that is permanent law.

The CHAIRMAN. The point of order is not sustained, and the Clerk will read.

The Clerk read as follows:

#### INTERNATIONAL BUREAU OF THE PERMANENT COURT OF ARBITRATION.

To meet the share of the United States in the expenses for the calendar year 1920 of the International Bureau of the Permanent Court of Arbitration, created under article 22 of the convention concluded at The Hague, July 29, 1899, for the pacific settlement of international disputes, \$2,000.

Mr. SMALL. Mr. Chairman, I move to strike out the last word. Mr. Chairman, in the last diplomatic appropriation bill there was an appropriation for the Pan Pacific Union. That is a union which has been organized in the past few years for uniting for their common benefit the countries which border upon the Pacific, including, of course, the countries of the Orient. While the Department of State made no estimate for that organization in this bill, and while I am not insisting that an appropriation shall be made, yet I do wish to say a few words to call attention to what I conceive to be its intrinsic importance. The trade upon the Pacific in the near future will show signs of large increase. The time has arrived when very important pages in the history of the world will be written upon the Pacific. Our relations particularly with China, with Japan, the Philippine Islands, to which we are so closely united, our general commercial interests, the great importance to the people of the United States of increasing our trade, both imports and exports, the differences which exist to-day and which in the course of the future will arise from time to time between some of the important oriental countries and the United States, justify us in emphasizing the importance of binding together the people of this Republic to the people of the Orient. The Pan Pacific Union during the past few years has taken long strides in cementing the United States with the Central and South American Republics. The men who are behind the Pan Pacific Union are men of vision and faith. The Pan Pacific Union ought to be encouraged, and whenever the time shall come in the opinion of the Department of State and of the Congress that it should be assisted by appropriations from the Government of the United States those appropriations ought to be

willingly given. I have risen at this time simply to call the attention of the committee to the existence of the Pan Pacific Union and the good work which it is doing and to the importance of sustaining it both by public sentiment as well as by substantial contributions in the future. [Applause.]

The Clerk read as follows:

#### BUREAU OF INTERPARLIAMENTARY UNION FOR PROMOTION OF INTERNATIONAL ARBITRATION.

For the contribution of the United States toward the maintenance of the Bureau of the Interparliamentary Union for the Promotion of International Arbitration at Brussels, Belgium, \$2,000.

Mr. BLANTON. Mr. Chairman, I reserve a point of order on that. I would like to ask the chairman in charge of the bill what is the use of carrying on this proposition when there are other means under contemplation for the end desired by this work?

Mr. ROGERS. This is an item about which I am not personally especially well informed.

Mr. BLANTON. Then I do not care to ask the gentleman. I make the point of order.

Mr. ROGERS. The point of order is conceded, Mr. Chairman. The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The judge of the said court and the district attorney shall, when the sessions of the court are held at other cities than Shanghai, receive in addition to their salaries their necessary actual expenses during such sessions, not to exceed \$8 per day each, and so much as may be necessary for said purposes during the fiscal year ending June 30, 1922, is appropriated.

Mr. BLANTON. Mr. Chairman, I make a point of order to that portion of the paragraph which provides for actual expenses during the sessions, not to exceed \$8 per day, for the reason that it is legislation on an appropriation bill, unauthorized by law. And I would like to call the Chairman's attention to the fact that our distinguished ex-colleague, Judge Adamson, who formerly was in this House, but who has now an office in New York, is still forced to live on the maximum for subsistence when away from his home and for traveling expenses to \$5 a day, and yet we can provide new legislation in this bill and in direct contravention of the law that the gentleman from Illinois [Mr. MANN] cited the Chair to, which limits the amount for subsistence to \$5, and we can permit in this bill several instances for that subsistence to be raised in the appropriation bill to \$8. I do not think it ought to be permitted.

Mr. ROGERS. Mr. Chairman, I think as the item is phrased it is probably legislation. I think if it was a limitation it would be in order.

Mr. CONNALLY. Is there not a statute in force allowing the United States judges not exceeding \$10 a day when away from home?

Mr. ROGERS. I am not familiar with that.

Mr. CONNALLY. I think there is a statute directing United States judges not to expend to exceed \$10 a day when absent from their stations. If that is true, this is in order.

The CHAIRMAN. The Chair is not discussing the limitation.

Mr. BLANTON. The law limits the district attorney to \$5, and this is \$8.

The CHAIRMAN. The Chair sustains the point of order.

Mr. ROGERS. Just a moment, please. The point of order was directed only to the words "not to exceed \$8 per day each." As I understand, the ruling of the Chair allows the remainder of that paragraph to stand.

Mr. BLANTON. I only directed it to that one feature, of \$8 per day each.

The CHAIRMAN. The Chair overrules the point of order.

The Clerk read as follows:

#### ARBITRATION OF OUTSTANDING PECUNIARY CLAIMS BETWEEN THE UNITED STATES AND GREAT BRITAIN.

For the expenses of the arbitration of outstanding pecuniary claims between the United States and Great Britain, in accordance with the special agreement concluded for that purpose August 18, 1910, and the schedules of claims thereunder, to be expended under the direction of the Secretary of State, and to be immediately available, as follows:

Mr. BLANTON. Mr. Chairman, I make a point of order to that part, in line 15, which says "and to be immediately available."

Mr. ROGERS. I concede the point of order.

Mr. MANN of Illinois. What is the point of order?

Mr. BLANTON. That it is unauthorized legislation on an appropriation bill; that it is not authorized by law.

Mr. MANN of Illinois. Mr. Chairman, it is just as much in order to make it immediately available as it is to appropriate it for another year, so far as the authorization by law is concerned.

Mr. BLANTON. It is new legislation, Mr. Chairman.



Mr. MANN of Illinois. It is not new legislation. It is an appropriation. Now, that point of order used to be made on this bill and would have been in order, because the Committee on Foreign Affairs when it reported this bill had no authority to report a deficiency appropriation. But the Committee on Appropriations has authority to report deficiency appropriations, and to the extent that it is made immediately available it is a deficiency appropriation. But the point of order can not be made that the Committee on Appropriations can not report this, because they have the authority to report appropriations.

Mr. BLANTON. Will the gentleman yield?

Mr. MANN of Illinois. Certainly.

Mr. BLANTON. This particular subcommittee has nothing in the world to do with deficiencies.

Mr. MANN of Illinois. This feature we are considering has nothing to do with the particular subcommittee. We deal with the Committee on Appropriations. Now, the old rule was—and it was held many times on the sundry civil bill, coming from the Committee on Appropriations—that you could make an item immediately available. Of course, all the deficiency items are made immediately available without anything further. But the Committee on Appropriations is not required to report all of its deficiency items in one bill.

The CHAIRMAN. The point of order is not sustained, and the Clerk will read.

The Clerk read as follows:

For rent of office for joint secretaries, \$480.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, that it is new legislation on an appropriation bill and unauthorized by law.

Mr. ROGERS. Mr. Chairman, it is based upon a treaty and is in all respects in harmony with the provisions of that treaty.

Mr. BLANTON. Nowhere in the treaty does it provide for such officers.

The CHAIRMAN. The point of order is not sustained. The Clerk will read.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment bill of the following title:

H. R. 14122. An act to authorize the sale of a portion of the Copper Harbor Range Lighthouse Reservation, Mich., to Houghton and Keweenaw Counties, Mich.

#### CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Salaries, United States agency: Agent, to be appointed by the President, by and with the advice and consent of the Senate, \$7,500 per annum; counsel, \$5,000 per annum; counsel and joint secretary, who shall also act as disbursing clerk, \$3,000 per annum; two counsel, at \$2,750 each per annum; one law clerk, \$2,240 per annum; two stenographers, at \$1,440 each per annum; and messenger, \$840 per annum; in all, \$26,960.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, it being legislation on an appropriation bill without any authority of law for it.

Mr. ROGERS. Mr. Chairman, I repeat my comment on the first paragraph, to the effect that we have a treaty with Great Britain on this point, and that the organization here provided for is in accordance with the provisions of that treaty, and has been actually in existence for years.

The CHAIRMAN. The point of order is not sustained. The Clerk will read.

The Clerk read as follows:

#### UNITED STATES SECTION OF THE INTER-AMERICAN HIGH COMMISSION.

To defray the actual and necessary expenses on the part of the United States Section of the Inter-American High Commission arising in such work and investigations as may be approved by the Secretary of the Treasury, \$25,000, to be expended under the direction of the Secretary of State.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that it is new legislation on an appropriation bill, unauthorized by law.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. ROGERS. Mr. Chairman, the authority of law upon which this item is based is an act approved February 7, 1916, which provides for the appointment of delegates, to be known as the United States Section of the International High Commission. That same law provides that the delegates shall cooperate with the other sections of the commission in taking action upon the recommendations of the first Pan American financial conference. It is further provided that the President shall fill any vacancies which may occur in the said United States Section of

the International Commission. This is a substantive law and is not merely part of an appropriation act. It seems to me to be ample authority for the continuance of this commission.

Mr. WALSH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. WALSH. Is there any provision in the act which the gentleman cited requiring the investigations to be approved by the Secretary of the Treasury and the money to be expended under the direction of the Secretary of State?

Mr. ROGERS. Yes. The sum appropriated in this law was specified to be expended under the direction of the Secretary of the Treasury. Last year the appropriation act provided that the actual expenditure should be under the direction of the Secretary of State, but that the investigations and the work should be under the direction of the Secretary of the Treasury.

The CHAIRMAN. Let me ask the gentleman from Massachusetts: As I understand the act that he refers to, it provided only for the payment for the year 1916. Under what authority does the gentleman claim that this would be in continuation of that act?

Mr. ROGERS. The first paragraph of the act to which I have referred is apparently unlimited in point of time. There may be some ground for the contention that the second paragraph is more temporary in its character, although there is a provision to the effect that the sum appropriated should remain available until expended. But, I say again, as far as the first paragraph is concerned, that there is no evidence whatever that this commission was to go out of existence at the end of that fiscal year or at the end of any other fiscal year.

Mr. BLANTON. The whole act is to be construed.

Mr. ROGERS. I want to call the attention of the Chair to the title of the act, which is "An act to provide for the maintenance of the United States Section of the International High Commission," which indicates a certain degree of permanency, at least.

The CHAIRMAN. The Chair can not find any provision of the law making it a continuing provision. The title of an act has nothing to do with the provisions of the act, and it seems to the Chair that the provisions of this act apply only to a particular time. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

#### WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN.

For salaries and expenses, including salaries of commissioners and salaries of clerks and other employees appointed by the commissioners on the part of the United States, with the approval solely of the Secretary of State, expense of printing, cost of law books, books of reference, and periodicals, and necessary traveling expenses, and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909, \$38,000, to be disbursed under the direction of the Secretary of State: *Provided*, That no part of this appropriation shall be expended for subsistence of the commission or secretary, except for actual and necessary expenses, not in excess of \$8 per day each, when absent from Washington and from his regular place of residence on official business.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, because the amount provided for in lieu of subsistence is \$8, which is in excess of the amount which the statutory law of the country provides.

Mr. BLACK. Mr. Chairman, will my colleague yield for a question?

Mr. BLANTON. I yield.

Mr. BLACK. The provision as it reads in the bill, without the limitation, authorizes the payment of all necessary expenses. Now, suppose that these commissioners should turn in an expense account amounting to \$10 a day. Would they be limited under the law to \$5?

Mr. BLANTON. Yes.

Mr. BLACK. Has the gentleman looked that up and ascertained it?

Mr. BLANTON. The gentleman will remember that we had that very point up here when he made a point of order on the provision of the bill which sought to increase the amount for subsistence that would apply, for instance, to our colleague, Judge Adamson, who is filling a position in New York. My colleague then made a point of order, which was sustained by the Chair.

Mr. BLACK. I remember that point of order all right, but I was under the impression that if there was authority under general law authorizing necessary expenses, it would probably go higher than \$5.

Mr. BLANTON. No. The act referred to by the gentleman from Illinois [Mr. MANN] fixed the amount to be allowed in lieu of subsistence at not to exceed \$5.

Mr. MANN of Illinois. If you put into this act an appropriation to pay actual and necessary expenses, they would be paid without any limit at all unless there is a limitation in the act.

Mr. CONNALLY. Mr. Chairman, if the Chair please, this provision was inserted here at my instance a year ago in order to limit the expenses under the paragraph. The Secretary of State, who has control of these expenses, might allow any sum for expenses. This is peculiarly a limitation.

Mr. BLANTON. Mr. Chairman, my point of order went to the whole paragraph.

The CHAIRMAN. The Chair is ready to rule. The point of order is not sustained. The Clerk will read.

The Clerk read as follows:

#### INTERNATIONAL RESEARCH COUNCIL.

To pay the annual share of the United States, as an adhering member of the International Research Council and of the Associated Unions, organized at Brussels, July 18-28, 1913, as follows: International Research Council, \$129; International Astronomical Union, \$772; International Union of Pure and Applied Chemistry, \$290; International Union of Geodesy and Geophysics, \$1,338; International Union of Mathematics, \$129; in all, \$2,658, to be expended under the direction of the Secretary of State.

Mr. BLANTON. Mr. Chairman, I reserve a point of order in order to ask a question. I would like to ask the gentleman in charge of the bill whether we have any treaty provision calling for the expenditure of these items?

Mr. ROGERS. There is no treaty. This is subject to a point of order.

Mr. BLANTON. I make the point of order, Mr. Chairman, that there is no law authorizing it.

The CHAIRMAN. To the paragraph?

Mr. BLANTON. To the paragraph.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

#### LEGATION BUILDING AND GROUNDS AT SAN SALVADOR.

For filling and grading the grounds of the American legation building in the city of San Salvador, the construction on said grounds of driveways, sidewalks, the court at back of building, fence, drains, water tank, and for such other minor improvements as may be found necessary, \$11,000, to be immediately available.

Mr. LONGWORTH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LONGWORTH: Page 21, after line 7, insert: "For the acquisition of land and buildings in Paris, France, to be used as the American embassy, under the provisions of the act of February 17, 1911, \$150,000, or so much thereof as may be necessary."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is new legislation, unauthorized by law, on an appropriation bill.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. LONGWORTH. Mr. Chairman, I maintain that there is law which authorizes this appropriation—the law referred to in the amendment just offered, the act of February 17, 1911. That act provides—and I will read it, because it is very short:

That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the said buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the Diplomatic Service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment.

The Chair will observe that so far there is absolutely no limitation as to the power of Congress to appropriate for these purposes, to wit, the acquisition of sites and buildings in foreign countries to be used for legation or embassy purposes.

There are two provisos following. The first is—

Provided, however, That not more than the sum of \$500,000 shall be expended in any fiscal year under the authorization herein made.

That limits the power of Congress to appropriate in any one year more than \$500,000. No one claims that we are attempting to do that now.

The further proviso is as follows:

And provided further, That in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives, the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed the sum of \$150,000 at any one place) and which limit shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

Mr. BLANTON. Mr. Chairman, I withdraw the point of order.

Mr. MANN of Illinois. I reserve the point of order. I did not hear the amendment read.

Mr. LONGWORTH. Does the gentleman care to have me debate the merits of it?

Mr. MANN of Illinois. No; the point of order.

Mr. LONGWORTH. I will proceed further with the discussion of the point of order, Mr. Chairman. In the first place, I want to call the attention of the Chair particularly to this point, that there is no provision of this law which requires the Secretary of State or the Secretary of the Treasury to make any estimate. The only use of the word "shall" in this proviso occurs where it is provided that in submitting estimates he shall set forth a limit of cost, but he is not required to make any estimate unless called for by Congress. Now, I am aware of the fact that this question has been ruled on twice before, once within three or four days after the passage of this act, which was known as the Lowden Act, and another time two years later. In one case a similar amendment was held out of order. In the second case it was held in order. I submit that in both cases it should have been held to be in order, regardless of whether estimates had actually been made or not.

On February 22, 1911, Mr. Flood, of Virginia, offered this amendment to the Diplomatic bill at a point similar to this:

That the Secretary of State is hereby authorized and directed to secure, by purchase or otherwise, a suitable building for an embassy building in the City of Mexico, and \$100,000, or so much thereof as may be necessary, is appropriated for that purpose.

To that Mr. Stafford made the point of order that it was not authorized by existing law. During the argument the gentleman from Illinois [Mr. MANN], for whose parliamentary opinion I, of course, have the very highest admiration and respect, made this statement:

Undoubtedly hereafter the policy will be for the Secretary of State to send in his own estimates, and those estimates will be followed; but I question whether the act requires the Secretary of State to send in an estimate. The act could not require that. What we provide is that the Secretary may acquire the buildings; that the amount in any one year shall not exceed \$500,000; and then there is a provision directing the Secretary of State to put in a limit of cost when he does send in his estimates, and when that limit of cost is included in that estimate it can not be exceeded.

A little later, the gentleman from Illinois will recall, the Chairman said:

Will the gentleman from Illinois direct his attention to the Chair for a moment? Does the gentleman argue that the act which directs the Secretary to submit an estimate of cost and which limits that cost, subject to subsequent authorizations of Congress, is a barrier to an amendment on this bill?

The reason I am reading this debate to the Chair is to show the Chair if possible that in my opinion the subsequent decision of the Chair was based upon a wrong point, and upon a point conceded by the gentleman from Illinois to have no weight. In reply to the query of the Chair the gentleman from Illinois [Mr. MANN] said:

I skillfully avoided the subject. I do not wish to express an opinion on the subject, and I hope the Chair will not be called upon to express an opinion on that subject.

But, unfortunately, the Chair did express an opinion on that subject, and ruled that the amendment was out of order because no estimate of cost had been submitted, which was not a matter in issue. The ruling of the Chair is very brief. I will read it:

The existing law, act of February 17, 1911, provides that the Secretary of State shall submit estimates of appropriations to the Secretary of the Treasury for transmission to the House of Representatives—

That is just precisely what it does not do—

and it establishes a limit of cost for these buildings contemplated by the act and provides a method of establishing that limit. In the light of existing law fixing a limitation of cost, and the method of procedure by the Secretary of State, the amendment presented by the gentleman from Virginia is clearly not in order. It is new legislation, and therefore unauthorized by existing law. The Chair sustains the point of order.

In other words, the Chair sustained the point of order on precisely the ground which the gentleman from Illinois suggested ought not to be considered. Of course, at that time it was impossible that an estimate could have been made.

Two years later four or five amendments were offered—one to provide an embassy at Tokyo, another at Mexico City, and a few others. These amendments were held in order at that time, because the matter of whether the Secretary of State was compelled to send an estimate of cost was not the question. There it was admitted an estimate of cost had been sent in, and the point of order was overruled.

I submit that the decision which I have first referred to, which happened to be made by the gentleman from Pennsylvania, Mr. Moore, was incorrect, because he misapprehended the wording of the law. As I say, the law had been passed only a few days before. It was called to his attention suddenly, and the ground of his decision was that the existing act of February, 1911, provides that the Secretary of State shall submit estimates of appropriations.



Now, I want to call the attention of the Chair particularly to the fact that it does no such thing. It simply provides that when the Secretary of State submits estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives he shall set forth a limit of cost.

But that does not prevent Congress from making such appropriation within the limits of either the \$500,000 in any one year or \$150,000 in any one project when the estimate has not been sent in. The Chairman of the committee in deciding that misplaced the word "shall." He assumed that the Secretary of State was compelled to send in his estimate before the Congress could make an appropriation, whereas it is evident that there is no such provision. In this case, so far as I am aware, no exact estimate of the cost or acquisition of the land or building has been made, although the last three ambassadors have sent strong recommendations to that effect. I do not know, and the chairman of the committee advises me that he is not aware, that the Secretary of State has officially transmitted those estimates here; that he is not required to do so under the law.

The reason I offer the amendment is that it will be effective in providing an embassy in Paris within the limit of cost under the Lowden bill of \$150,000. One hundred and fifty thousand dollars in our money to-day is \$450,000 in France, and the United States Government will make a profit of 66½ per cent on this transaction. I submit that it is in order under the statute under the so-called Lowden Act, and the decision of the Chair in interpreting that act in the first instance was incorrect.

The CHAIRMAN. Does the gentleman from Ohio understand that the limit of the total expenditure in any one year is \$500,000?

Mr. LONGWORTH. In any one year, but I do not think that limits the power of Congress to appropriate; it only limits the expenditure to \$500,000 in any one year.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard?

Mr. MANN of Illinois. I think not; I drew the language in that law.

The CHAIRMAN. In passing on the point of order, perhaps the Chair should be somewhat specific because the proposition is important, and there is some conflict in the decisions that have been made with regard to it. The contention of the gentleman from Ohio in regard to the interpretation of the statute, it seems to the Chair, is well founded. This first provision of the act is absolutely without limitation. It states:

That the Secretary of State be, and he is hereby, authorized to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the Diplomatic and Consular establishments of the United States, and to alter, repair, and furnish the said buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the Diplomatic Service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment.

That is the positive, affirmative, and material part of the statute. Now, unless that is limited in some way or other by the provisos that have been added, certainly there is ample authority for the committee considering the amendment.

The first proviso is:

*Provided, however,* That not more than the sum of \$500,000 shall be expended in any fiscal year under the authorization herein made.

That limitation, it would seem, as a matter of fact has not been exceeded, and there are, so far as has been called to the attention of the Chair, no other authorization for expenditures where the total would exceed the limit of \$500,000.

Now we come to the next proviso, which is the difficult proposition involved in this case:

*Provided further,* That in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed the sum of \$150,000 at any one place), and which limit shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

Unless this proviso makes it obligatory before Congress can make the appropriation that the Secretary of State shall submit to the Secretary of the Treasury an estimate, then the limitation does not apply in this case. The language used, as the committee will notice, is "that in submitting estimates of appropriation." That is, if estimates are made, they must be made in the manner prescribed.

Of course, the usual method in which these matters are called to the attention of the committee having the matter in

charge for consideration is upon estimates furnished by the department. The provision in this act is, in effect, that if an estimate is made by the Secretary of State and transmitted to the Secretary of the Treasury, it shall be done in the manner prescribed. But there is no requirement that such estimate must be made. It is admitted in argument that no such estimate was submitted, and the question is as to whether it could be inferred that such an estimate would be required. The Chair would not be justified in any such inference; and as the language does not specifically state that it is a prerequisite, and does not specifically state that the appropriation must not be made until such estimate has been made, the Chair thinks it is perfectly within the right of the committee to consider the amendment, and the point of order is overruled.

Mr. MANN of Illinois. I suppose the Chair is not called upon probably to decide, and as far as I could understand he did not decide, that the limit of cost fixed in the proviso where an estimate is made may be exceeded where no estimate is made.

The CHAIRMAN. No; the Chair does not decide that point at all.

Mr. MANN of Illinois. I do not know how the Chair will decide it when that question comes up.

The CHAIRMAN. The Chair would say to the gentleman from Illinois that the Chair does not think that that is directly involved.

Mr. MANN of Illinois. No; I think not, myself.

Mr. ROGERS. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Mr. ROGERS offers the following amendment to the amendment: At the end of the amendment add the following: "Provided, That the Secretary of State is hereby authorized, in his discretion, and in so far as to him seems practicable and advisable, to conclude negotiations with the Government of France, with a view, in lieu of the amount herein appropriated, to the crediting upon the obligations or debts of such Government then held by or owing to the United States, a part or all of the purchase price thereof."

Mr. MANN of Illinois. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LONGWORTH. Mr. Chairman, I just want only to say a word, and I shall be very brief, indeed, because this is a matter that has been repeatedly called to the attention of the House. There never was a time, in my opinion, when there was so great need for having good men in our Diplomatic Service. It has been a most unfortunate fact in this country that our choice of men to hold high diplomatic positions has been confined to men of great wealth. The salary that we provide, of \$17,500 a year, is absolutely inadequate for a man properly to represent this country in any great city of Europe or of the Orient. Of course, we have been fortunate at times in finding men otherwise qualified who were fortunate enough to have a large pocketbook; but it has always seemed to me a blot upon the real democratic theory of our Government that we should find ourselves compelled to appoint to some of the highest and most important offices men of a particular class, a class occupied only by men of great wealth. There never was a time hitherto when we so much needed first-class men to represent this country abroad as now. It is rather the exception to the rule that the first-class American citizen is a man of great personal fortune. The sort of diplomacy represented by gilt tinsel and ceremony and all that sort of thing is a thing of the past. The diplomacy of the next two years is going to be attended to by hard-headed, practical men, and upon the choice of the men whom we send abroad in the next few years may lie the future of this country in great part. It is utterly impossible under our present system, which provides no residences for our representatives abroad, for anyone but a very rich man to accept these positions.

This amendment is offered at a peculiarly opportune time, it seems to me, from the standpoint of economy. The present rates of exchange in foreign countries are variable, and in many countries their money, as compared to ours, has gone almost to the vanishing point. In the case even of France an American dollar which used to buy 5 francs can now buy more than 16 francs. In other words, an American dollar to-day is three times as valuable as it used to be.

Mr. DUNBAR. Mr. Chairman, will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. DUNBAR. The gentleman says that the American dollar will now buy 16 francs. What will those 16 francs buy in Paris?

Mr. LONGWORTH. They will buy of some things as many as they used to buy, and of other things they do not, but 150,000 American gold dollars will buy \$450,000 worth of land

and buildings in Paris to-day. We will be making a profit of over 66 $\frac{2}{3}$  per cent on the transaction.

Mr. DUNBAR. Does the gentleman mean to say that a building which before the war would have sold for \$450,000 in American money can now be gotten for \$150,000 of American money?

Mr. LONGWORTH. I do.

Mr. DUNBAR. Has the inflation of the currency in France not caused an inflation in the price of commodities?

Mr. LONGWORTH. I say in some things, yes; in other things, no. To-day the cost of living in France for the average family has not increased since the war, according to the best information.

Mr. DUNBAR. Does the gentleman know it to be a fact, then, that property in France has depreciated two-thirds of its former value?

Mr. LONGWORTH. I do not say that property has; I say that the purchasing power abroad of the franc has.

Mr. DUNBAR. The purchasing power of the franc has decreased and the property decreased or increased?

Mr. LONGWORTH. The purchasing power of the franc at home has not decreased in so far as very many articles are concerned, and as I understand it it has not decreased so far as the purchasing power of land is concerned.

Mr. DUNBAR. Is it not generally understood that with the inflation of the currency there is always an inflation in prices?

I can understand no reason why Paris should be any exception to the rule.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. Two minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LAYTON. Will the gentleman yield for one question?

Mr. LONGWORTH. I will.

Mr. LAYTON. I agree with the gentleman's remarks very much, but does the gentleman think it would be a good thing at this time to go into all the capitals in the world and—

Mr. LONGWORTH. Eventually, yes; but I would not say go to all the capitals of the world just now, but the fact is we need a first-class man for the American ambassador to France. Our choice is limited under existing conditions to rich men. I call that undemocratic. I call it a blot on the laws of this country.

Mr. BLANTON. Will the gentleman yield?

Mr. LONGWORTH. I would like—

Mr. BLANTON. Just a short question. Does the gentleman think it is any more important to buy this residence there than to buy a house in Washington for our Department of Justice?

Mr. LONGWORTH. I do, because we can always get good men to fill the office of the Attorney General and others at our present salaries who are not rich men—

Mr. BLANTON. But we are renting a building now.

Mr. LONGWORTH. But we can not do so in the case of our representatives abroad, gentlemen. Now, there is one particularly good feature of this Lowden bill, to which I want to call the attention of the committee. It provides that the embassy must be used both as a residence for the ambassador himself and the chancellery, which is the place where all the affairs of the embassy are conducted and where the secretaries and the clerks work. One of the great troubles to-day is that in Paris, for instance, the American Embassy, as such, is a small house on a side street. The embassy, meaning the residence of the ambassador, depends on how rich that man is, and either is a big house in the most fashionable part of all Paris or a small house in a less fashionable part, depending solely on the pocketbook. I do not think that the pocketbook of the American ambassador should be reflected in the size of his house. I think we ought to have a uniform embassy where all men, rich or poor, can live and represent this country as it ought to be represented. [Applause.]

The CHAIRMAN. The time of the gentleman has again expired. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to.

Mr. WALSH. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. WALSH offers an amendment, to follow the Longworth amendment, as follows:

"The Secretary of State is hereby authorized to accept the gift of the residence of J. P. Morgan in London, England, which has been offered to the Government of the United States as a residence for the American ambassador."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

#### SALARIES OF THE CONSULAR SERVICE.

For salaries of consuls general, consuls, and vice consuls, as provided in the act approved February 5, 1915, entitled "An act for the improvement of the foreign service," \$1,774,500. Every consul general, consul, vice consul, and, wherever practicable, every consular agent shall be an American citizen.

Mr. BLANTON. Mr. Chairman, I reserve a point of order to ask a question. I would like to ask the gentleman in charge of the bill how much this \$1,774,500 for consular salaries is in excess of the amount we paid for salaries for the fiscal year ended June 30, 1917?

Mr. ROGERS. The amount that year was \$1,164,000. Now, in explanation of the increase perhaps the gentleman will permit me to suggest—

Mr. BLANTON. I understand then you are increasing this \$610,500?

Mr. ROGERS. Yes; for two reasons. Because we have completely Americanized the Consular Service in the last five years. We have weeded out the consular officers, among whom in the past there have been many foreigners. I believe the gentleman will agree with the wisdom of that policy?

Mr. BLANTON. Oh, yes.

Mr. ROGERS. And in the second place, the number of consuls has very much increased in five years. And in the third place, there has been a slight salary readjustment made by Congress.

Mr. BLANTON. Did the chairman's subcommittee of five carefully go over this item of \$610,500 increase before they put it in the bill at the request of the State Department?

Mr. ROGERS. They asked for \$1,974,500 and, as we thought, produced pretty good evidence that that sum was desirable with world conditions as they are. Nevertheless, we felt that it could be reduced by \$200,000 without impairing the service. And in the hearings the gentleman will find an explanation of where every dollar of this fund goes.

The Clerk read as follows:

#### EXPENSES OF CONSULAR INSPECTORS.

For the actual and necessary traveling and subsistence expenses of consular inspectors while traveling and inspecting under instructions from the Secretary of State, \$25,000: *Provided*, That inspectors shall be allowed actual and necessary expenses for subsistence, itemized, not exceeding an average of \$8 per day.

Mr. BLANTON. Mr. Chairman, in order to be consistent, I make the point of order against the proviso providing for \$8 subsistence in the face of the law limiting it to \$5.

The CHAIRMAN. The point of order is not sustained.

The Clerk read as follows:

#### POST ALLOWANCES TO DIPLOMATIC AND CONSULAR OFFICERS.

To enable the President, in his discretion, and in accordance with such regulations as he may prescribe, to make special allowances by way of additional compensation to diplomatic and consular officers and consular assistants and officers of the United States Court for China in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, \$250,000.

Mr. CONNALLY. Mr. Chairman, I reserve a point of order.

Mr. ROGERS. I do not know that I care to debate the matter when the point of order is reserved.

Mr. CONNALLY. Then I will make the point of order.

Mr. ROGERS. What is the point of order?

Mr. CONNALLY. That there is no authorization of law for this appropriation. I will state to the Chair that this is an item that has been appropriated heretofore for the purpose of supplementing the salaries of consuls and diplomatic officers in foreign countries because of the increased cost of living brought about by war conditions. The testimony before the committee is that now American money in every country in the world, with the possible exception of China and Mexico, is worth more than it has been for a long number of years, and so the consuls' and diplomats' salaries, as was very well explained by the gentleman from Ohio [Mr. Longworth] a moment ago in arguing on the purchase of the site in Paris, are worth much more or have a greater purchasing power than they did before the war. And while this item was perhaps justified during the time the war was continuing, it is not justified now, because we ought to get back to normal conditions.

Mr. ROGERS. Will the gentleman yield just a moment?

Mr. CONNALLY. I yield.

Mr. ROGERS. Will the gentleman reserve the point of order?

Mr. CONNALLY. I reserve it.

Mr. ROGERS. The justification for the item at this time, as it appeared to the committee, is this: First, in the Orient, as the gentleman well knows, the rate of exchange is as adverse to the United States as it is favorable in parts of Europe, and one-half of this sum is recommended in order to prevent



our officers in the Orient from finding the size of their dollar, and their consequent purchasing power, cut in two. On the Continent of Europe, I agree with the gentleman, that on the whole the cost of living has not kept up with the rise in exchange; so that in Poland, for example, or in Italy, I believe our consular officers to-day are better off with the same salary in United States dollars than they were in 1914. In the British Isles the condition is intermediate. In the British Isles the cost of living has increased threefold, according to the evidence before the committee. The rise in exchange has been about 35 per cent on the average. In other words, it costs the American consular officer in Great Britain from two to three times as much to live as it did in 1914.

So the committee, instead of giving \$600,000 or \$700,000, as has been given in the past three or four years, concluded that our officers in the Orient ought to have \$125,000 to equalize the adverse exchange. This seems a matter of fair play so far as the Orient is concerned. Then we added another \$125,000 to care for the condition in the British Isles.

Mr. CONNALLY. I would like to ask the gentleman from Massachusetts if it is not a fact, with respect to the Orient, that the same conditions that exist now existed long before the war, and if there is any trouble at all it is the fact that the salaries have not been properly fixed by statute, and does not arise as a war condition? This item has been carried because it was a war item. Now, the war has ceased, and if there is any inequity in the salaries of officers in China, it is a permanent condition that has been in effect for a number of years.

Mr. ROGERS. I think the gentleman will agree that the situation in China did not begin to get troublesome until 1914, and was a reflex of the European war.

Mr. CONNALLY. I would perhaps have no objection if the gentleman would limit the appropriation to China. I object to the State Department having \$250,000 to parcel around over various parts of the world wherever it sees fit to distribute it.

Mr. ROGERS. Does the gentleman think that it is fair that a consul in Birmingham, England, for example, or in Liverpool, or in Dublin, or in Glasgow should in practice find his salary cut in two, so far as its purchasing power goes?

Mr. CONNALLY. I do not think that that is the true condition.

Mr. ROGERS. We have an abundance of evidence before the committee based on Federal Reserve Board statistics and on Department of Labor statistics that that fact is true. I will tell the gentleman frankly that he will be bringing about a very considerable and, it seems to me, an unwarranted hardship if he does insist on the point of order. We have tried to keep this amount down to a moderate sum. I think it ought to be larger rather than smaller.

Mr. CONNALLY. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 22, after line 9, insert "to enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances, during pendency of existing war and for six months after its termination, by way of additional compensation to consular and diplomatic officers in belligerent countries and countries contiguous thereto, including China and the officers at Hongkong, Saigon, Tsingtau, Dairen, and Vladivostok in order to adjust their official income to the ascertained cost of living at the posts to which they may be assigned, \$250,000."

Mr. BLANTON. Mr. Chairman, I reserve a point of order. I wanted to ask the chairman if he does not think that the \$610,500 in excess which we have provided for in the paragraph at the bottom of page 21 is sufficient increase for these officers to make unnecessary this additional \$250,000 increase?

Mr. ROGERS. Consuls general and consuls have not had their salaries increased. The increase in the other item was mainly in connection with the creation of a group of men called vice consuls.

Mr. BLANTON. This \$610,500 is an increase in addition to the increase contained in the \$1,200,000 item?

Mr. ROGERS. That represents, as I explained a few moments ago, an increase in personnel, and also the added expense we are put to by Americanizing the service in the lower grades.

Mr. BLANTON. Mr. Chairman, I make the point of order. It is unauthorized and it is new legislation on an appropriation bill.

Mr. ROGERS. That item in the form it is presented was carried in the Diplomatic and Consular act of 1919, and the fact that it is available until a date six months after the termination of the existing war shows that it was not merely legislation for the fiscal year. I therefore contend that the amendment is in order.

Mr. BLANTON. That was merely on an appropriation bill, Mr. Chairman. The gentleman knows it.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

#### EXPENSES, PASSPORT CONTROL ACT.

For expenses of regulating entry into the United States, in accordance with the provisions of the act approved May 22, 1918, and public act No. 79 of the Sixty-sixth Congress, when the latter act shall have become effective, \$600,000.

Mr. BLANTON. Mr. Chairman, I make a point of order against that paragraph.

Mr. CONNALLY. Will the gentleman reserve it?

Mr. BLANTON. I will reserve it. In reserving this point of order I want to ask the chairman how much of this \$600,000 is for regulating entry into the United States under this law mentioned herein, which has not yet become a law; in other words, this public act 79.

Mr. ROGERS. Public act 79 never has become a law, and presumably never will become a law, as it goes out of existence on March 4; but in view of the fact that legislatively it may come into existence before March 4, it would seem that the appropriation should be made in this language.

Mr. BLANTON. I withdraw the reservation.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 25, after line 13, insert a new paragraph, as follows:

"For such expenses not otherwise provided for herein as may be necessary to enable the President to conduct and maintain any embassy, legation, or consular offices authorized by law, \$41,300."

Mr. BLANTON. I make a point of order that this amendment is unauthorized in the terms in which it is drawn; that it is not authorized to be put on an appropriation bill by the Appropriations Committee. It is a blanket provision.

The CHAIRMAN. The point of order is not sustained. The question is on the amendment offered by the gentleman from Massachusetts, which the Clerk will again report.

Mr. NEWTON of Minnesota. I offer an amendment to the amendment offered by the gentleman from Massachusetts.

The CHAIRMAN. The Clerk will first report again the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The amendment was again read.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Massachusetts [Mr. ROGERS].

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. NEWTON of Minnesota offers the following amendment to the amendment: At the end of the paragraph insert the following proviso:

"Provided, That the amounts to be expended from this appropriation for the objects hereinafter set forth shall not exceed the following respective sums: Interpreter to legation and consulate general to Persia, \$2,000; interpreter to legation and consulate general to Bangkok, \$2,000; for 10 student interpreters at the legation to China, at \$1,500 each, \$15,000; for the payment of the cost of tuition of 10 student interpreters in China, at the rate of \$350 per annum each, \$3,500; for 6 interpreters at the embassy to Japan, at \$1,500 each, \$9,000; for the payment of the cost of tuition of 6 student interpreters at the embassy to Japan, at the rate of \$200 per annum each, \$1,200; for 4 student interpreters at the embassy to Turkey, at \$1,500 each, \$6,000; for the payment of the cost of tuition of 4 student interpreters at the embassy to Turkey, at the rate of \$200 per annum each, \$800; for rent of quarters for the student interpreters attached to the embassy to Japan, \$1,200; for rent of quarters for the student interpreters attached to the embassy to Turkey, \$600."

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill unauthorized by law, and that the Chair has already ruled on that matter.

Mr. NEWTON of Minnesota. Mr. Chairman, the Chair will note that the amendment offered is in the nature of a limitation and a restriction on the Department of State in spending the money that is included in the amendment offered by the gentleman from Massachusetts. It is therefore not in the nature of legislation but a limitation and restriction upon the appropriation that has already been offered and held in order.

Mr. BLANTON. I want to submit that this is merely a conspiracy between the gentleman from Massachusetts [Mr. ROGERS], the chairman of the subcommittee, and the gentleman from Minnesota [Mr. NEWTON], trying to put back into the bill something out of order and something that the Chair has held out of order. It is a subterfuge on the part of two gentlemen acting conjointly. It is a frame-up, as some Member suggests. I submit that my point of order is good and that it should be sustained.

The CHAIRMAN. The point of order is sustained. The question is on the amendment offered by the gentleman from Massachusetts.

The question was considered, and the amendment was agreed to.

Mr. TEMPLE. Mr. Chairman, I offer an amendment, on page 22, line 10, after the words "diplomatic and consular officers," insert "to enable the President to carry out the provisions of the act of April 15, 1918, for post allowances to consular and diplomatic officers, \$250,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. TEMPLE: Page 22, line 10, after the words "diplomatic and consular officers," insert "to enable the President to carry out the provisions of the act of April 15, 1918, for post allowances to consular and diplomatic officers, \$250,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is not germane to the paragraph. We have passed page 22, and it is legislation on an appropriation bill.

The CHAIRMAN. The point of order is sustained.

Mr. TEMPLE. Mr. Chairman, I now offer the amendment to the page where we now are.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, after line 13, following the amendment just adopted, insert the following:

"To enable the President to carry out the provisions of the act of April 15, 1918, for post allowances to consular and diplomatic officers, \$250,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that that is legislation on an appropriation bill unauthorized by law.

Mr. TEMPLE. Mr. Chairman, I should like to be heard on the point of order.

Mr. CONNALLY. Mr. Chairman, I make the point of order that it is not germane to that portion of the bill.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania.

Mr. TEMPLE. Mr. Chairman, two points of order are pending. One is that it is not germane to the paragraph. To that I wish to say that it is offered as a new paragraph, and it does not have to be germane to the paragraph that precedes it or to the paragraph that may follow it. It stands alone as a new paragraph, if it is germane to the bill, and the point has not been made that it is not. That point certainly would not lie. It is germane to the bill and will fit in in any particular place in the bill.

As to the other point of order, that it is an appropriation not provided for in law, I read from the act to which the paragraph itself specifically refers, the act of April 15, 1918. There an appropriation was made—

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances during the pendency of the war and for six months after its termination—

And so forth.

It seems to me that that is legislation which is permanent in the sense that all our war-time legislation was permanent, to last until the termination of the war and for a certain period after the war, and we made appropriation after appropriation under acts that carried exactly that provision. So, although this was carried in an appropriation bill, it is legislation and fixes a certain condition that is to be recognized as law during the pendency of the war and for six months after peace is concluded. Of course, if that is the case, like all of the other legislative bills under which appropriations were made, it is authority in law for future appropriations.

Mr. BLANTON. That was carried in an appropriation act.

Mr. TEMPLE. Yes; it was carried in an appropriation act, but that item of legislation is in it, and it is law, whether it was first adopted in an appropriation act or somewhere else.

Mr. CONNALLY. Mr. Chairman, the act in which the language quoted by the gentleman from Pennsylvania [Mr. TEMPLE] was carried was the Diplomatic appropriation act for the fiscal year 1919. The item is very much like the item which appeared in the committee print of this bill:

To enable the President, in his discretion and in accordance with such regulations as he may prescribe, to make special allowances during the pendency of the existing war and for six months after its termination, by way of additional compensation to the consular and diplomatic officers in belligerent countries, and countries contiguous thereto, including China, officers at Hongkong—

And so on.

I call the attention of the Chair to the fact that it does not purport to be permanent law, but was applicable only to the appropriations carried in the act. It really partakes of the nature of a limitation, because if the war had ended prior to the end of the fiscal year of 1919, six months thereafter the

authority of the President would have come to an end; the power of the President to expend the \$700,000 automatically would have terminated, even though the appropriation year had not expired. Really, the act simply authorizes the expenditure of \$700,000 to be used by the President, when? During the year 1919, provided that during that year the state of war continued. It does not purport to be permanent law in any sense, any more than the language appearing in this committee print of the bill now before the House purports to be permanent law. It simply makes it possible for the President during the life of that appropriation bill to make these allowances, and it is clearly in the nature of a limitation on the appropriation.

On the question of germaneness, I submit that this item on its face purports to be an increase of the consular and diplomatic salaries, and if it is germane at all it must be germane to those items in the bill which provide salaries for consuls and diplomatic officers. Those items are to be found on page 21, salaries of consular service; page 22, salaries of consular assistants; and page 22, allowances for clerk hire, United States consuls. It certainly is not germane to that portion of the bill to which it is offered, the matter of regulating the entry of aliens into the United States by the passport-control act.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk resumed and concluded the reading of the bill.

Mr. ROGERS. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TOWNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 15872, had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

#### SPEAKER PRO TEMPORE ON SUNDAY.

The SPEAKER. To-morrow the House meets for memorial exercises for the late Senator BANKHEAD and the Chair would like to designate the gentleman from Alabama, Mr. BLACKMON, to preside.

#### DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. ROGERS. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. CONNALLY. Mr. Speaker, I demand a separate vote on the amendment accepting the gift of the Morgan home in London.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. BLANTON. Mr. Speaker, I demand a separate vote on the Longworth amendment.

Mr. McCLINTIC. Mr. Speaker, inasmuch as a number of Members are not acquainted with what is in the bill, I ask that all amendments be read and demand a separate vote upon them.

#### LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SWOPE, for five days, on account of sickness.

To Mr. MONTAGUE (on request of Mr. BLAND of Virginia), from the city, on public business.

#### ADJOURNMENT.

Mr. ROGERS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 26 minutes p. m.) the House, under its former order, adjourned to meet to-morrow, Sunday, January 30, 1921, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

377. A letter from the Postmaster General, transmitting report of the claim of the postmaster at Bedford, Pa., for reimbursement for funds lost through burglary; to the Committee on Claims.

378. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingent ex-



penses of the War Department during the fiscal year ending June 30, 1920; to the Committee on Expenditures in the War Department.

379. A letter from the Secretary of War, transmitting report from the Chief of Air Service covering publications issued by the Air Service of the Army during the fiscal year 1920; to the Committee on Printing.

380. A letter from the Postmaster General, transmitting list of useless executive papers in that department and requesting their disposition; to the Committee on Disposition of Useless Executive Papers.

381. A letter from the Acting Secretary of State, transmitting report in connection with useless executive papers in that department and requesting their disposition; to the Committee on Disposition of Useless Executive Papers.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. ANTHONY, from the Committee on Appropriations, to which was referred the bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes, reported the same without amendment, accompanied by a report (No. 1264), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WEBSTER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (S. 4825) to extend the time for the construction of a bridge across the Columbia River between the States of Oregon and Washington, at or within 2 miles westerly from Cascade Locks, in the State of Oregon, reported the same without amendment, accompanied by a report (No. 1265), which said bill and report were referred to the House Calendar.

Mr. SINNOTT, from the Committee on the Public Lands, to which was referred the bill (H. R. 15880) to amend section 3 of an act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914, reported the same with an amendment, accompanied by a report (No. 1266), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FREAR, from the Committee on Ways and Means, to which was referred the joint resolution (S. J. Res. 146) directing the Secretary of the Treasury to furnish the Senate certain detailed information secured from income and profits tax returns of taxable year 1918, reported the same without amendment, accompanied by a report (No. 1267), which said bill and report were referred to the House Calendar.

Mr. SELLS, from the Committee on Roads, to which was referred the bill (H. R. 15873) to authorize the appropriation of additional sums for Federal aid in the construction of post roads, and for other purposes, reported the same without amendment, accompanied by a report (No. 1268), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CHINDBLOM, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution (H. J. Res. 461) to amend section 2 of the joint resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved June 5, 1920, reported the same without amendment, accompanied by a report (No. 1269), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE of Maine, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (H. R. 15695) to amend section 6 of the act of Congress entitled "An act for the protection and regulation of the fisheries of Alaska," approved June 26, 1906, reported the same with amendments, accompanied by a report (No. 1270), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15525) to provide for the establishment of a Mississippi River, in the State of Wisconsin, of a fish-rescue station, to be under the direction of the Bureau of Fisheries of the Department of Commerce, reported the same with amendments, accompanied by a report (No. 1271), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 15943) making appropriations for the support of the Army for the fiscal year ending June 30, 1922, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. HICKS: A bill (H. R. 15944) to authorize reduced rates of transportation for members of the military and naval forces; to the Committee on Naval Affairs.

By Mr. REED of New York: A bill (H. R. 15945) authorizing an appropriation for the World's Poultry Congress; to the Committee on Agriculture.

By Mr. ZIHLMAN: Joint resolution (H. J. Res. 462) authorizing the installation of water meters in buildings occupied by the executive and municipal departments and governmental institutions in the District of Columbia, and for the establishment of rates for water used therein; to the Committee on the District of Columbia.

By Mr. CARSS: Memorial of the Legislature of the State of New York, requesting that Federal authorities discontinue operations of barges, boats, and other transportation facilities, operating on the canals in New York State, at the earliest possible moment; to the Committee on Interstate and Foreign Commerce.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LUCE: A bill (H. R. 15946) granting a pension to Elisha R. Kenyon; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 15947) granting a pension to Amanda Riley, formerly Amanda Carter; to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution (H. Res. 656) authorizing the payment of \$800 to H. M. Vandervort for extra and expert services to the Committee on Invalid Pensions during the third session of the Sixty-sixth Congress; to the Committee on Accounts.

By Mr. SELLS: Resolution (H. Res. 657) authorizing the payment of \$1,200 to Wayne W. Cordell for extra and expert services rendered to the Committee on Pensions during the second and third sessions of the Sixty-sixth Congress; to the Committee on Accounts.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5348. By Mr. CANNON: Petition of sundry citizens of Kankakee, Ill., requesting the recognition by our Government of the existing republic of Ireland; to the Committee on Foreign Affairs.

5349. By Mr. CURRIE of Michigan: Petition of Samuel Bowser and 24 others, urging favorable consideration of the Fess-Capper bill; to the Committee on Education.

5350. Also, petition of Harvey Stauffer and 14 others, urging favorable consideration of the Fess-Capper bill; to the Committee on Education.

5351. By Mr. FULLER: Petition of Progressive Lodge, No. 440, International Association of Machinists, of Rockford, Ill., favoring resumption of trade with soviet Russia; to the Committee on Foreign Affairs.

5352. By Mr. ESCH: Petition of the Chinese Society of America, urging adequate appropriation for the work of the Department of Commerce in extending trade with China; to the Committee on Appropriations.

5353. By Mr. LINTHICUM: Petition of Albert W. Adt, Harry H. Wilson, William B. Wood, G. W. Houck, William B. McCaddin, Garner W. Denmead, and Louis H. Palmer, all of Baltimore, advocating modification of present tax system; to the Committee on Ways and Means.

5354. Also, petition of Elias Petts, LeRoy T. Feiser, Hadassah Chapter, George W. Ebaugh, and Alumnae Association, Eastern High School, all of Baltimore, indorsing Smith-Towner bill; to the Committee on Education.

5355. Also, petition of the Merchants and Manufacturers' Association, Baltimore, protesting against S. 4542; to the Committee on Naval Affairs.

5356. Also, petition of Armstrong, Cator & Co., Baltimore, authorizing the Secretary of the Treasury to make partial payments to railroads of sums certified by the Interstate Commerce

Commission as due them from the Government; to the Committee on Interstate and Foreign Commerce.

5357. Also, petition of Joseph Marsbeck, jr., Baltimore, indorsing S. 4606; to the Committee on the Merchant Marine and Fisheries.

5358. Also, petition of the State roads commission, Baltimore, approving the Sells bill, H. R. 15873; to the Committee on Roads.

5359. Also, petition of the Merchants and Manufacturers' Association, Baltimore, protesting against the Calder bill; to the Committee on Interstate and Foreign Commerce.

5360. By Mr. O'CONNELL: Petition of employees of the Steamboat-Inspection Service, favoring the passage of House bill 15746 and Senate bill 4839; to the Committee on Reform in the Civil Service.

5361. By Mr. PETERS: Petition of W. L. Welsh and 410 others, of Belfast, Me., favoring the emergency tariff bill; to the Committee on Ways and Means.

5362. Also, petition of W. M. Kelsey and 89 others, of Brooks, Me., protesting against the importation of potatoes into the United States; to the Committee on Interstate and Foreign Commerce.

5363. By Mr. TEMPLE: Petition of the Outlook Club, of Beaver Falls, Pa., in support of the Sheppard-Towner bills (S. 3259, H. R. 10925); to the Committee on Interstate and Foreign Commerce.

5364. Also, petition of the Outlook Club, of Beaver Falls, Pa., protesting against the Yellowstone Park encroachment bill (H. R. 12466); to the Committee on the Public Lands.

5365. Also, petition of the Outlook Club, of Beaver Falls, Pa., supporting the Smith-Towner bills (S. 1017, H. R. 7); to the Committee on Education.

5366. Also, petition of Ralf Gaston, route No. 7, New Castle, Pa., and others, protesting against a daylight saving law; to the Committee on Interstate and Foreign Commerce.

5367. By Mr. ZIHLMAN: Petition of Principals' Association, of Baltimore city, indorsing the Smith-Towner bill; to the Committee on Education.

## HOUSE OF REPRESENTATIVES.

SUNDAY, January 30, 1921.

The House met at 12 o'clock noon and was called to order by Mr. BLACKMON as Speaker pro tempore.

Rev. William Couden, of Concord, Mich., offered the following prayer:

Almighty God, we thank Thee for the revelation through Christ's gospel that enables our souls when prostrate to look up into Thy face beyond all shadows and to call Thee "Our Father." This morning we assemble out of reverence for a good man who has passed from us to return no more. We are glad to remember his personal charm and integrity, his rich mentality, and his public loyalty in the service of his town, his county, his State, and his Nation, both as Representative and Senator. Though he will be missed here, we feel that to him can be applied the words that were spoken of ex-President Benjamin Harrison:

Great lives do not go out; they go on.

Bless, we pray Thee, the great and holy matters in which this man was interested; the welfare of our country, the spread of justice, and the establishment of truth and love. Encourage those who were his colleagues in promoting every good cause.

Especially, we beseech Thee, to pour out Thy merciful and gracious healing upon the group of his near friends and kinsfolk. Breathe Thy spirit of comfort upon his very dearest, the members of his family whose hearts are burdened with the heavy load of missing daily his intimate presence. May they find to hand all those Christian powers that enable Thy children to sorrow not as those who are without hope in Jesus. And, finally, through the Redeemer's triumph, bring us all with sins forgiven and in perfect peace to our heavenly home. Amen.

### THE JOURNAL.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the reading of the Journal be deferred until to-morrow.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent that the reading of the Journal be deferred until to-morrow. Is there objection?

There was no objection.

### THE LATE SENATOR BANKHEAD.

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. DENT, by unanimous consent, *Ordered*, That Sunday, January 30, 1921, at 12 o'clock noon, be set apart for addresses on the life, character, and public services of Hon. JOHN H. BANKHEAD, late a Senator from the State of Alabama.

Mr. DENT. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

### House resolution 658.

*Resolved*, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. JOHN HOLLIS BANKHEAD, late a Senator from the State of Alabama.

*Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

The resolution was agreed to.

Mr. DENT. Mr. Speaker, the late Senator JOHN H. BANKHEAD of Alabama was for 20 years a member of this body before going to the Senate 13 years ago. His long, conspicuous, and honorable service here makes it indeed appropriate that this time should be set apart to pay tribute to his memory. The Senate, of which body he was a member at the time of his death, has already memorialized his life and character. His former colleagues there, particularly the senior Senator from his own State, have given in detail the long public service which he rendered to his native State. It would be useless for me to now repeat the details. Suffice it to say that his record as a Confederate soldier, his service in both branches of the Alabama legislature, and his career as a Representative from that State in both Houses of Congress speak for themselves.

It is seldom given to any man to have such a long, useful, and almost unbroken career in public life, and I am sure no man filled the trusts committed to him with greater faithfulness or more signal ability.

Senator BANKHEAD was indeed a remarkable man. In every undertaking he was accurate, painstaking, and thorough. Though not a lawyer by profession, I heard him make a most splendid legal argument in the Senate relative to the amendment providing for the direct election of Senators when the governor of Alabama made an appointment to fill a vacancy in the Senate from that State.

He had a clear and a broad vision, observing the possibilities for the development of his State and the country at large as few men have been given the faculty to foresee.

Unquestionably he was one of the wisest counselors it has been my privilege to know. When I came to Congress about 12 years ago I acquired his friendship and often sought his advice. I do not recall that in a single instance his judgment was in error. I speak from the heart when I say in his death I lost a real friend.

He was a practical statesman. He did much for Alabama, as much, I may say, without making objectionable comparisons, as any man who ever represented her in the halls of Congress, and his memory will be forever enshrined in the hearts of a grateful people whom he served so faithfully and so well.

Mr. MADDEN. Mr. Speaker, we do not come here to-day to mourn the death of Senator BANKHEAD, for it is just as natural to die as it is to live. We come to pay tribute to his memory, and to his work and his life.

I had the privilege of serving in this House with Senator BANKHEAD before he went to the Senate. I served with him on the Rivers and Harbors Committee and in other activities. After he left the House it was my privilege to serve with him on conferences between the House and the Senate. It was also my privilege to serve with him as a member of the joint commission on postal salaries.

In my judgment Senator BANKHEAD was one of the plainest of the good, common, everyday citizens of this Nation. He never assumed that public place gave him superior rights. He realized that he was one of the people, and he never lost sight of the fact that the people of the Nation are the rulers of the Nation. He lived a life of patriotism. His patriotism was intense, as tender as the affection of son for mother, as strong